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ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Equipment Leases

2) Code Citation: 92 Ill. Adm. Code 1360

3) Section Numbers:
1360.40

Proposed Action:

Amend

4) Statutory Authority: Implementing Section 18c-1202 and authorized by Section 18c-1202(9) of The Illinois Commercial Transportation Law (625 ILCS 5/18c-1101 et seq., 1992)

5) A Complete Description of the Subjects and Issues Involved:

The Messenger Service industry has recently proposed that the Commission permit licensed carriers to require lessors to operate under their own insurance, while retaining the license holder's insurance to serve as backup. This, they argue, would result in lower insurance premiums for the licensed carriers while continuing to ensure that the public is protected from uninsured operators. We are skeptical about predictions of lower insurance costs, but recognize that there may be cases of duplicate insurance coverage occurring in the industry. Accordingly, we are initiating rulemaking to permit primary insurance coverage for lessors to see what comments we receive during first notice.

6) Will this proposed amendment replace an emergency amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date: No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part?
No

10) Statement of Statewide Policy Objectives: This proposed amendment neither creates nor expands any state mandate on units of local government, school districts, or community college districts.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any person who plans to submit comments should file a notice of intent thereof, within 21 days of the date of this issue of the Illinois Register with:

Kathy C. Lynch
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62706

Comments should be filed with within 45 days of the date of this issue of the Illinois Register.

12) Initial Regulatory Flexibility Analysis:

A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: January 27, 1993

B) Types of small businesses affected: This amendment will affect those common and contract carriers that are also small businesses as defined in the Illinois Administrative Procedure Act.

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

TITLE 92: TRANSPORTATION
CHAPTER III: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER b: MOTOR CARRIERS OF PROPERTY

Section 1360.40 Lease Terms and Conditions

a) Required terms and information. A lease subject to this Part must specify the information set forth in this subsection.

Section

- 1360.10 Applicability
- 1360.20 Definitions
- 1360.30 General Leasing Requirements
- 1360.35 Actions Affecting leases
- 1360.40 Lease Terms and conditions
- 1360.45 Lease Form
- 1360.50 Exemptions from these Leasing Regulations (Repealed)
- 1360.55 Possession and Control of Leased Equipment
- 1360.60 Private Carriers and Shippers (Repealed)
- 1360.65 Additional Requirements for Trip Leases Between Authorized Carriers
- 1360.70 Filing and Cancellation Requirements (Repealed)

PART 1360
EQUIPMENT LEASES

1) Identifying information

A) Parties. The lease must show the full legal name of the carrier-lessee, as it appears on the carrier's Commission license; the full legal name of the equipment owner-lessor; and the mailing address of each, including street address, city, state, and zip code.

B) Vehicle. The lease must show the type, make, year, and vehicle identification number of the motor vehicle which is subject to the lease.

2) Term of the lease. The lease must specify the dates or the circumstances which begin and end the term of the lease. The term of the lease shall coincide with the times for giving receipts for the equipment as required in subsection (b). The term of the lease shall not exceed 3 years.

3) Compensation to owner and drivers. The lease must specify both the amount and the method of computing the compensation to be paid by the carrier-lessee to the equipment owner. Compensation may be stated either jointly or separately for equipment and drivers. The lease must also specify any documents which must be presented by the lessor before he can receive payment.

4) Responsibility for expenses. The lease must specify the responsibility of the lessee and the lessor for payment of expenses incurred in providing transportation service, either directly or through deductions (chargebacks) from compensation specified in subsection (b)(3). Expenses not expressly made the responsibility of the lessor shall be the responsibility of the lessee. The lease must also specify any documents to be submitted by either party in relation to payment or reimbursement of expenses. Expenses covered under this subsection include:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

- A) Fuel costs;
- B) Fuel and other taxes;
- C) Empty mileage;
- D) Licenses, permits, plates, and decals of all types except permits issued by the Commission;
- E) Tolls and other fees, except those fees paid to the Commission;
- F) Insurance and surety coverage (including responsibility for primary insurance);
- G) Rentals or other payments to the carrier; and
- H) Any other expenses related to the transportation.

5) Supplemental insurance coverage. The lease must specify which party is responsible for securing and paying for, either directly or indirectly, any ~~secondary or~~ other insurance or surety coverage in addition to amounts required by Articles IV through IX of Sub-chapter 4 of the Law (Ill. Rev. Stat. 1985, ch. 95 1/2, pars. 18C-4401 to 18C-4905) or 92 Ill. Adm. Code 1425. If the lessor purchases any such insurance from or through the lessee, the lessee shall provide the lessor, on request, a copy of the policy (policies) and a certificate of insurance showing the name of the insurance company, the policy number, amounts and types of coverage, effective dates of coverage, deductible amounts, and the cost of the coverage.

6) Loss or damages. The lease must specify the conditions under which the lessor may be required to indemnify the lessee for personal injury, property damage, or loss of or damage to cargo. If indemnification is made through deductions from compensation otherwise owed to the lessor, a written itemization and explanation of deductions must be provided to the lessor before any deductions are made.

b) Implied terms. The following terms, if not stated in a lease, shall be implied. Any contrary provisions in the lease shall be void.

- 1) Exclusive possession and control. The lessee shall have exclusive possession and control of leased equipment during all periods when the equipment is operated under the lease. Such exclusive possession and control shall extend also to the

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drivers of leased equipment.

2) ~~Primary~~ insurance coverage. The lessee shall have the responsibility for securing ~~primary~~ insurance or surety coverage in compliance with Sub-chapter 4 of the Law and 92 Ill. Adm. Code 1425.

3) Payment deadline. Payment of compensation due under a lease must be made within 15 days after submission of any documents specified under subsection (a)(3).

4) Pre-conditions to lease. The lessor is not required to purchase, rent, or lease any goods (including equipment) or services from the lessee as a condition of the lease or of entering into or not cancelling the lease.

5) Other obligations of lessee.

A) Copy of lease. Prior to commencement of operations under a lease, the lessee shall provide the lessor a completed copy of the lease and proof of its transmittal to the Commission.

B) Copy of rated freight bill. If compensation is based on information shown on the bill, the lessee shall provide the lessor with a copy of the rated freight bill at the time compensation for the movement is paid to the lessor. The lessee may delete the names of shippers, consignors, and consignees from the bill.

C) Examination of tariff. If the lessor requests it, the lessee shall allow an examination of its tariffs.

6) Any term of a lease of which conflicts with the Illinois Commercial Transportation Law, Commission rules, or Commission orders is void.

(Source: Amended at 17 Ill. Reg. , effective)

ILLINOIS EDUCATIONAL FACILITIES AUTHORITY

ILLINOIS EDUCATIONAL FACILITIES AUTHORITY

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Functions and Planning Program
- 2) Code Citation: 23 Ill. Adm. Code 2310
- 3) Section Number(s): Proposed Action:
2310.80 Amendment
- 4) Statutory Authority: Implementing Section 5.07 and 5.13 and authorized by Section 5.01 of the Illinois Educational Facilities Authority Act (Ill. Rev. Stat. 1987 1991, Ch. 144, pars. 1305.01, 1305.07 and 1305.13, as amended). (110 ILCS 1015/5.01, 1015/5.07 and 1015/5.13)
- 5) A Complete Description of the Subjects and Issues Involved:
Section 2310.80 is being amended to clarify the nature of the Fees charged by the Authority and to raise the Annual Fee which the Authority charges to institutions which have outstanding financing through the Authority. The increase in the Annual Fee is required to enable the Authority to meet its operating expenses.
- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date?
If "Yes", please specify date: Yes X No
- 8) Does this proposed rule contain incorporations by reference? No.
- 9) Are there any other amendments pending on this Part? No.
- 10) Section Numbers: Proposed Action: Ill. Reg. Citation:
Statement of Statewide Proposed Action: Not applicable as the Authority does not receive any state funding.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments will be accepted for 45 days after the date of publication of this notice at the following address:

Illinois Educational Facilities Authority
333 West Wacker Drive, Suite 2600
Chicago, Illinois 60606
(312) 781-6633

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:

- B) Type of small business affected: None.

- C) Reporting, bookkeeping or other procedures required for compliance: None.

- D) Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendment is as follows:

ILLINOIS EDUCATIONAL FACILITIES AUTHORITY

NOTICE OF PROPOSED AMENDMENT

TITLE 23: EDUCATIONAL AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIV: ILLINOIS EDUCATIONAL FACILITIES AUTHORITY

PART 2310

FUNCTIONS AND PLANNING PROGRAM

Section

- 2310.5 Introduction
 2310.10 Who May Apply for Financing
 2310.20 Types of Educational and Cultural Facilities that can be Financed
 2310.30 Types of Costs that can be Financed: Outstanding Debt
 2310.40 Interest Rate on the Authority's Bonds
 2310.50 Method of Financing
 2310.60 Length of Bond Issue
 2310.70 Type of Bond Issue
 2310.80 Fees
 2310.90 Authority Bond Issues and Bond Ratings (Repealed)
 EXHIBIT A Estimated Fee Schedule as Special Bond Counsel with Respect to Bonds Issued by Illinois Educational Facilities Authority (Repealed)

AUTHORITY: Implementing Sections 5.07 and 5.13 and authorized by Section 5.01 of the Illinois Educational Facilities Authority Act (Ill. Rev. Stat. 1987 1991, Ch. 144, pars. 1305.01, 1305.07 and 1305.13, as amended). (110 ILCS 1015/5.01, 1015/5.07 and 1015/5.13)

Source: Filed December 23, 1977; amended at 4 Ill. Reg. 29, p.270, effective July 2, 1980; amended at 6 Ill. Reg. 7414, effective July 1, 1982; codified at 7 Ill. Reg. 16396; amended at 8 Ill. Reg. 5192, effective April 6, 1984; amended at 8 Ill. Reg. 8444, effective June 5, 1984, amended at 10 Ill. Reg. 10569, effective June 30, 1986; amended at 11 Ill. Reg. 9106, effective April 28, 1987; amended at 11 Ill. Reg. 10600, effective May 26, 1987; amended at 13 Ill. Reg. 7898, effective May 15, 1989; amended at 17 Ill. Reg. _____, effective _____.

Section 2310.80 Fees

- a) The Authority charges the following fees:
 1) Application Fee - for processing an Application for Assistance - Submitted submitted with application and not refundable.
 A) \$250.00 on issues up to but not including \$1,000,000 principal amount;

ILLINOIS EDUCATIONAL FACILITIES AUTHORITY

NOTICE OF PROPOSED AMENDMENT

- B) \$500.00 on issues of \$1,000,000 up to but not including \$5,000,000 ~~on~~ principal amount; and
 C) \$1,000.00 on issues of \$5,000,000 principal amount and over.

AGENCY NOTE: This fee will be credited to the Administrative Charge upon ~~approval of the application~~ completion of the related bond financing.

- 2) Administrative Charge - for completing a bond financing - 1/4 of 1% of the principal amount of bonds issued or \$10,000 whichever is less - payable following the bond closing+.
- AGENCY NOTE: The Administrative Charge includes the Annual Fee for the year following the issuance of the bonds.
- 3) Annual Fee - for servicing a bond financing for one year - ~~Commencing~~ for annual fees coming due on or after July 1, 1989 1993, the Annual Fee shall be ~~1/100~~ 2/100 of 1% of the original amount of the bond issue - payable in advance and not refundable.
- b) These fees are designed to cover the operating expenses of the Authority. In addition, the participating institutions will be expected to bear all other costs of the financing, including trustee's fees, printing expenses, the financial advisor's fee, and the fee and disbursements of bond counsel. These fees may be financed with bond proceeds.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Data Collection
- 2) Code Citation: 77 Ill. Adm. Code 2510
- 3) Section Numbers:

<u>Proposed Action:</u>
2510.60 Amendment
2510.70 Amendment
2510.90 New
- 4) Statutory Authority: Section 2-3 of Article II and Section 4-2 of Article IV of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 6502-3 and 6504-2).
- 5) A Complete Description of the Subjects and Issues Involved: The amendments reduce establish prices to be charged to a requesting entity which will cover at minimum the direct and indirect costs of acquiring information and of developing and producing data product reports or special analyses, and implement settlement of lawsuit involving the Agency.
- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this part? No.
- 10) Statement of Statewide Policy Objectives: The proposed amendments establish prices for Agency data products and comply with a lawsuit settlement.
- 11) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking: Comments may be submitted in writing to Britt Hagen, Deputy Executive Director, Illinois Health Care Cost Containment Council, 4500 South Sixth Street Road, Suite 215, Springfield, Illinois 62703-5118. Written comments should be submitted no later than March 17, 1993.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:
 - A) Date Rule Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
 - B) Type of Small Business affected: Hospitals
 - C) Reporting, Bookkeeping or other procedures required for compliance: No additional required.
 - D) Type of professional skills necessary for compliance: No additional required.

The full text of the Proposed Amendments are identical to the Emergency Amendments appearing in this issue of the Register on page 2032.

DEPARTMENT OF MINES AND MINERALS

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

1) The Heading of the Part: Plugging and Restoration Contracts

no impact on local units of government.

2) Code Citation: 44 Ill. Adm. Code 610

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:
Written comments may be submitted within 45 days of the publication of this notice to:

3) Section Number:

Section 610.100 New Section
Section 610.110 New Section
Section 610.120 New Section
Section 610.200 New Section
Section 610.210 New Section
Section 610.220 New Section
Section 610.230 New Section
Section 610.240 New Section
Section 610.250 New Section
Section 610.260 New Section
Section 610.270 New Section
Section 610.280 New Section
Section 610.300 New Section
Section 610.310 New Section
Section 610.320 New Section
Section 610.330 New Section
Section 610.340 New Section
Section 610.350 New Section

John Henriksen
General Counsel
Illinois Department of Mines and Minerals
300 West Jefferson, Suite 300
Springfield, IL 62791-0137

Commenters must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues involved. All comments are due at the above address no later than 5:00 p.m. on March 31, 1993. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on March 17, 1993 at 9:00 a.m. at the Ramada Hotel, 222 Potomac Blvd., Mt. Vernon, Illinois. Representatives of small businesses are encouraged to comment on the impact of the proposed rulemaking at this public hearing.

4) Statutory Authority: Implemented and authorized by Section 19.6 of the Illinois Oil and Gas Act (225 ILCS 725/19.6)

5) A complete description of the subjects and issues involved:

The Department is proposing rules on soliciting bids from qualified vendors for the plugging and restoration of wells under the Department's Plugging and Restoration Fund. The rules would provide for the maintenance of prequalified bid list, the requirements for prequalification, the form of bid solicitations, the method of evaluating bids, contractual provisions, and the adoption of CMS standard procurement rules.

6) Will this proposed rule replace an emergency rule currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: The proposed rules will have

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: None

C) Reporting, bookkeeping or other procedures required for compliance:
None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Rules begin on the next page.

DEPARTMENT OF MINES AND MINERALS
NOTICE OF PROPOSED RULES
TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND
PROPERTY MANAGEMENT
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER VIII: DEPARTMENT OF MINES AND MINERALS

PART 610
PLUGGING AND RESTORATION CONTRACTS

SUBPART A: GENERAL PROVISIONS

Section 610.100 Definitions
Section 610.110 Incorporation of rules
Section 610.120 Prequalification of Bidders

SUBPART B: STANDARD PROJECTS

Section 610.200 Applicability
Section 610.210 Scope
Section 610.220 Work to be performed
Section 610.230 Invitation for bids
Section 610.240 Notification of vendors
Section 610.250 Content of the Invitation for Bids
Section 610.260 Evaluation of Bids
Section 610.270 Negotiation
Section 610.280 Contract terms

SUBPART C: EMERGENCY PROJECTS

Section 610.300 Applicability
Section 610.310 Scope
Section 610.320 Work to be performed
Section 610.330 Contracts for Individual Emergency Projects
Section 610.340 Regional Contracts
Section 610.350 Contract terms

SOURCE: Implementing and authorized by Section 19.6 of the Illinois Oil and Gas Act (Ill. Rev. Stat., ch. 96 1/2, par. 5430.1)(225 ILCS 725/19.6).

AUTHORITY: Adopted at ____ Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 610.100 Definitions

"Bid List"--means the list of prequalified bidders compiled and maintained by the Illinois Department of Mines and Minerals.

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DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED RULES

"CMS"--means the Illinois Department of Central Management Services.

"CMS Standard Procurement Rules"--means the standard procurement rules of the Illinois Department of Central Management Services as codified under 44 Ill. Adm. Code 1.100 et seq.

"Department"--means the Illinois Department of Mines and Minerals

"Emergency Well Plugging"--means a well or wells that are actively flowing oil or saltwater and are contaminating surface waters or flowing in sufficient quantity to create an increasing area of contamination on the surface of the land, or a well leaking natural gas or H2S in sufficient quantity to endanger public safety or create a fire hazard.

"Emergency Remedial Work"--means remedial work to repair or contain leaks from production equipment, pits, or other containment structures of oil or saltwater that are contaminating surface waters or are flowing in sufficient quantity to create an increasing area of contamination on the surface of the land.

"Emergency Project"--means an emergency well plugging or emergency remedial work PRF Project.

"IFB"--means an invitation for bids whereby the Department solicits bids from vendors for the completion of a PRF Project. Bids may be solicited for proposed unit prices, such as for bags of cement and rig time, or for completion of an entire project, or both.

"PRF"--means the Department's Plugging and Restoration Fund as established under Section 6 of the Illinois Oil and Gas Act, Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5401 et seq.

"PRF Project"--means a Standard Project or Emergency Project funded by the Plugging and Restoration Fund.

"Secretary of State"--means the Secretary of State of the State of Illinois.

"Standard Project"--means a PRF Project that has not been determined by the Department to be an Emergency Project.

"Supervisor"--means the Supervisor of the Oil and Gas Division of the Department of Mines and Minerals.

Section 610.110 Incorporation of rules

The Department hereby adopts the CMS Standard Procurement Rules. Inasmuch as the rules of this Part may differ, however, the rules of this Part shall

DEPARTMENT OF MINES AND MINERALS

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

govern.

Illinois.

Section 610.120 Prequalification of Bidders

- a) The Department shall maintain a list of prequalified bidders. A vendor on the bid list shall be presumed to be a responsible bidder.
- b) Any vendor not on the bid list may be determined to be a responsible bidder for a particular project if at the time of contract award the vendor meets the criteria for prequalification set out under this section, including having submitted a complete request for placement on the bid list as provided herein.
- c) Any vendor may request at any time to be prequalified and placed on the bid list by completing a request on a form prescribed by the Department and signing the written request. If the vendor is a business entity, such as a corporation, the request must be signed by a person authorized to enter into contracts on behalf of that entity.

d) The request shall contain the following information:

- 1) A summary of the vendor's plugging and restoration experience, including a description of the five most recent plugging and restoration projects the vendor has performed and the names and addresses of the persons or entities the vendor performed such work. If the vendor has not performed five such projects then the vendor shall so state.
 - 2) All plugging and restoration equipment the vendor owns. If the vendor does not own all the equipment that may be generally needed on a plugging and restoration project the vendor must state from whom and under what arrangement, e.g. by lease, the vendor shall obtain the necessary equipment.
 - 3) The location of the vendor's home office, from which all applicable mileage is to be calculated.
 - 4) Certifications as required by Illinois law for any contract with the State of Illinois.
 - 5) If a business entity, the vendor shall also identify the principal owners and officers of the vendor and the nature of the vendor's organization, for instance whether it is incorporated. If the vendor is a corporation the vendor must identify the state in which it is incorporated, if incorporated in Illinois whether it is presently in good standing with the Secretary of State's office, and if incorporated in another state whether it is currently authorized to do business in
- 6) The vendor's Federal Taxpayer Identification Number.
 - 7) Whether there is currently a Director's Decision of the Department outstanding against the vendor, under which the vendor is currently in violation of any law or regulation administered by the Department, and if so what violations and the date on which the violations shall be abated.
 - e) Upon receipt of a request for inclusion on the Department's bid list the Department shall review the request to determine whether the vendor is responsible. The Department may require the vendor submit additional information the Department may need to knowledgeably make the determination of responsibility under subsection (f) of this section.
 - f) The Department shall determine that a vendor is responsible if the vendor has submitted a complete request in compliance with this Subpart and based on the information contained in the request, any additional information supplied by the vendor, and the records of the Department, the Department finds that the vendor:
 - 1) Has adequate experience to properly perform plugging and restoration work. A vendor shall be presumed adequately experienced if it has successfully performed plugging and restoration projects on at least five wells.
 - 2) Has adequate equipment available to perform plugging and restoration work. The vendor must own at a minimum a rig sufficient to set cement as required by the Department to properly plug wells, set bridge plugs, and shoot and pull casing. The Department may inspect the equipment of the vendor to determine the adequacy of the equipment.
 - 3) Has access to, either through lease or ownership, adequate equipment, in addition to a rig, to perform plugging and restoration work.
 - 4) Does not have outstanding against it a Director's Decision, under which the vendor is currently in violation of any law or regulation administered by the Department, or is owned or operated by individuals who are so in violation, such that the vendor would be prohibited from receiving a permit from the Department.
 - 5) If an Illinois corporation, is currently in good standing with the Secretary of State's office, and if a foreign corporation is

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currently authorized to do business in the State of Illinois.

- 6) Certifies it can, and will, comply with all applicable State laws and regulations.
- g) If any information supplied by the vendor on its request form materially changes such that the information is no longer true the vendor shall immediately report such change to the Department.
- h) A vendor may be removed from the bid list if:
 - 1) The vendor fails to adequately perform the work required under any PRF Project. The Department shall make its determination under this subsection on the basis of the quality and timeliness of the work, and the compliance with the directives from the Department's site manager in performing any PRF project.
 - 2) The vendor no longer meets the requirements for being placed on the bid list.
 - 3) The vendor fails to inform the Department of a material change in the information supplied in the request.
 - 4) Any statement of the vendor on the request is discovered to be false.

SUBPART B: STANDARD PROJECTS

Section 610.200 Applicability

The rules of this Subpart apply to Standard Projects.

Section 610.210 Scope

A Standard Project may include one or more particular wells to be plugged and sites to be restored, a single leasehold on which all wells are to be plugged, well sites to be restored and lease site to be restored, or several lease sites on which all wells are to be plugged, well lease sites to be restored.

Section 610.220 Work to be performed

The Department shall have the discretion to determine what plugging and restoration work shall be done under any particular project and may reserve the authority to modify the work to be performed during the course of the project.

Section 610.230 Invitation for Bids

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Based on the nature of the particular project, the information available regarding the wells to be plugged, and all other relevant criteria, the Department may in its discretion seek bids on a particular project either on the basis of a single price for completion of the entire project or on the basis of itemized prices for the various services and equipment necessary for completion of the project, or both.

Section 610.240 Notification of vendors

Vendors currently on the Department's prequalified bid list shall receive a copy of the IFB. The Department shall also notify the public by posting a notice in the state newspaper as provided in the Department of Central Management Services standard procurement rules. Any vendor, whether or not on the bid list, may upon specific request by the vendor receive a copy of a particular IFB.

Section 610.250 Content of the Invitation for Bids

The IFB shall contain the following information:

- a) The location of the wells to be plugged.
- b) The work to be performed at each well and lease site.
- c) The manner in which a vendor must make its bid or proposal.
- d) The date, time and place where the bids or proposals are to be opened.
- e) Whether the vendor must itemize unit prices.
- f) The terms that the Department intends to incorporate into the ultimate contract for completion of the project, including any insurance and performance bond requirements.

Section 610.260 Evaluation of Bids

Bids shall be evaluated on the basis either of the price bid for the entire project or the unit prices, whichever is applicable. Where proposed unit prices are solicited, such as for bags of cement and hours of rig time, the Department shall evaluate each bid on the basis of the anticipated number of units to complete a given well plugging and lease site restoration in determining which proposal offers the lowest expected price. The responsible vendor proposing the lowest expected price shall be determined as offering the best responsible proposal.

Section 610.270 Negotiation

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After determining the best bid the Department shall attempt to negotiate a contract with the vendor making such bid. Where the Department is unable to satisfactorily negotiate a contract with the vendor offering the best bid the Department may attempt to negotiate a contract with the vendor offering the next best bid.

Section 610.280 Contract terms

The contract shall be explicitly made in compliance with all applicable state laws and rules, including the CMS standard procurement rules not superseded by these rules, and shall contain provisions required by such laws and rules and any additional terms to which the parties have agreed.

SUBPART C: EMERGENCY PROJECTS

Section 610.300 Applicability

The rules of this Subpart apply to Emergency Projects.

Section 610.310 Scope

An emergency project may include emergency well plugging or emergency remedial work.

Section 610.320 Work to be performed

The Department shall have the discretion to determine what plugging and restoration or remedial work shall be done under any particular project covered by this Subpart and may reserve the authority to modify the work to be performed during the course of the project.

Section 610.330 Contracts for Individual Emergency Projects

- a) If the Department has not established a regional contract under Section 605.340 of this Part to cover the region wherein a particular emergency project is located, then the Department may award a contract for that emergency project pursuant to the requirements of this section.
- b) The Department may obtain a contract for an individual emergency project by direct negotiation. For such contracts the Department may restrict negotiations to a vendor on the bid list that has its home office in the county where the project is to be located, or where there are no such vendors to the vendor whose home office is located in a county nearest to the county where the project is to be located.
- c) Where the Department is unable to negotiate a satisfactory contract with the nearest vendor as determined under subsection (b) above the

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Department may choose to negotiate a contract directly with the next nearest vendor on the bid list.

- d) The provisions of this section are not intended to limit the Department's authority to choose to solicit competitive bids or proposals from all vendors on the bid list where the exigencies of the emergency allow.

Section 610.340 Regional Contracts

- a) The Department may award a contract for all emergency projects arising within a particular geographical region and within a particular period of time. Such regional contracts shall be bid out by means of an IFB submitted to all vendors on the bid list.
- b) After determining the best proposal the Department shall attempt to negotiate a contract with the vendor making such bid.
- c) The IFB shall contain the following information:
 - 1) The counties to be covered by the proposed regional contract.
 - 2) The work generally to be performed under each emergency well plugging project and each emergency remedial work project.
 - 3) The manner in which a vendor must make its proposal.
 - 4) The date, time and place where the proposals are to be opened.
 - 5) The terms that the Department intends to incorporate into the ultimate contract for completion of the project.

- d) Vendors currently on the Department's prequalified bid list shall receive a copy of the IFB. The Department shall also notify the public by posting a notice in the state newspaper as provided in the CMS Standard Procurement Rules. Any vendor, whether or not on the bid list, may upon specific request receive a copy of a particular IFB.

- e) Bids shall be evaluated on the basis either of the price bid for the entire project or the unit prices, whichever is applicable. Where proposed unit prices are solicited, such as for bags of cement and hours of rig time, the Department shall evaluate each bid on the basis of the anticipated number of units to complete a given well plugging and lease site restoration in determining which proposal offers the lowest expected price. The responsible vendor proposing the lowest expected price shall be determined as offering the best responsible proposal.

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- f) After determining the best proposal the Department shall attempt to negotiate a contract with the vendor making such proposal.

Section 610.350 Contract terms

The contract shall be explicitly made in compliance with all applicable state laws and rules, including the CMS standard procurement rules not superceded by these rules, and shall contain provisions required by such laws and rules and any additional terms to which the parties have agreed.

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- 1) Heading of the Part: Illinois Dental Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1220
- 3) Section Numbers: Proposed Action:
1220.Appendix B Amendment
1220.Appendix C Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111, pars. 2305, 2317 and 2318.
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking makes changes in the procedures that may be performed by trained dental assistants and registered dental hygienists. The changes result from information gathered from hearings held by the Illinois Board of Dentistry in an effort to update the needs of the dental profession. For the most part, these Proposed Amendments expand the list of procedures that may be performed by a trained dental assistant if the licensed dentist responsible for the patients is in the dental facility during the performance of the procedures.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

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12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: February 2, 1993.
- B) Types of small businesses affected: Those providing dental services .
- C) Reporting, bookkeeping or other procedures required for compliance: There are no changes in reporting or bookkeeping requirements.
- D) Types of professional skills necessary for compliance: Dental or dental hygienist skills are required for licensure.

The full text of the Proposed Amendments begins on the next page:

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1220

ILLINOIS DENTAL PRACTICE ACT

SUBPART A: DENTIST

Section
1220.110 Application for Examination
1220.120 Clinical Examinations
1220.130 System of Retaking the Clinical Sections of the Examination
1220.140 Minimum Standards for an Approved Curriculum in Dentistry
1220.150 Licensure (Repealed)
1220.160 Restoration
1220.170 Renewal

SUBPART B: DENTAL HYGIENIST

Section
1220.210 Applications
1220.220 Clinical Examination
1220.230 System of Grading
1220.231 System of Retaking the Clinical Examination
1220.240 Permitted Duties of Dental Auxiliaries
1220.250 Approved Programs of Dental Hygiene
1220.260 Restoration
1220.270 Renewal

SUBPART C: DENTAL SPECIALIST

Section
1220.310 Applications
1220.320 Examination
1220.330 System of Grading
1220.335 American Board Diplomates
1220.340 Specialty Listing (Repealed)
1220.350 Restoration
1220.360 Renewal

SUBPART D: GENERAL

Section
1220.400 Reportable Diseases and Conditions
1220.410 Endorsement

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1220.421 Advertising
 1220.425 Referral Services
 1220.431 Employment by Corporation (Repealed)
 1220.435 Renewals
 1220.440 Continuing Education
 1220.441 Granting Variances

SUBPART E: ANESTHESIA PERMITS

Section
 1220.500 Definitions
 1220.510 Light Parenteral Conscious Sedation
 1220.520 General Anesthesia and Deep Parenteral Conscious Sedation
 1220.525 Renewal
 1220.530 Anesthesia Review Panel
 1220.540 Approved Programs in Anesthesiology
 1220.550 Reporting of Adverse Occurrences
 1220.560 Restoration of Permits

1220. Appendix A Pre-clinical Restorative Dentistry Sub-section (Repealed)
 1220. Appendix B Dental Assistant Permitted Procedures
 1220. Appendix C Dental Hygienist Permitted Procedures

AUTHORITY: Implementing The Illinois Dental Practice Act (Ill. Rev. Stat. 1991, ch. 111, pars. 2301 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)).

SOURCE: Rules and Regulations for the Administration and Enforcement of the Provisions of the Illinois Dental Practice Act, effective August 16, 1967; amended at 3 Ill. Reg. 16, p. 21, effective April 21, 1979; amended at 3 Ill. Reg. 42, p. 256, effective October 3, 1979; codified at 5 Ill. Reg. 11028; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 4174, effective May 24, 1982; amended at 6 Ill. Reg. 7448, effective June 15, 1982; emergency amendment at 7 Ill. Reg. 8952, effective July 15, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 15610, effective August 15, 1984; amended at 10 Ill. Reg. 20725, effective December 1, 1986; transferred from Chapter I, 68 Ill. Adm. Code 220 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1220 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2926; amended at 13 Ill. Reg. 4191, effective March 16, 1989; amended at 13 Ill. Reg. 15043, effective September 11, 1989; amended at 17 Ill. Reg. 1559, effective January 25, 1993; amended at 17 Ill. Reg. _____, effective _____.

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Section 1220. Appendix B Dental Assistant Permitted Procedures

The following procedures may be performed by a trained dental assistant if the licensed dentist responsible for the patients in that practice:

- a) Is in the same room during the performance of the procedures:
 - 1) Provide chairside assistance to the dentist who is performing dental operations and act in response to the dentist's specific directions, such as retracting a patient's cheek, tongue, or other oral tissue.
 - 2) List on a chart the oral condition as dictated by the dentist who is performing a dental examination, and record preliminary medical and dental histories.
- b) Is in the dental facility during the performance of the procedures:
 - 1) Provide chairside assistance to a dental hygienist, perform certain tasks consisting of traditional chairside assisting such as retraction of patient's tongue, cheek, or other oral tissue.
 - 2) Remove oral debris by water, compressed air and vacuum devices.
 - 3) Mix dental materials to be used by the dentist.
 - 4) Receive removable prostheses for cleaning and repair.
 - 5) Seat patients, place protective garments, lubricate lips, and otherwise prepare patients for the dentist.
 - 6) Pre-selection and contouring of temporary crown forms extraorally for placement of filling material and seating of temporary crown by the dentist.
 - 7) Place and remove rubber dams and excluding clamps
 - 8) Remove excess cement from clinical crown of tooth.
 - 9) Place and Remove periodontal packs; and remove sutures excluding wire sutures.
 - 10) Expose and process roentgenograms of teeth, the alveolar process, or any of the bony parts necessarily involved.
 - 11) Place and remove metal, celluloid, or plastic matrices and wedges between teeth for placement of filling material by the dentist.

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- 12) ~~Provide instructions in placement of devices of a type which are usually or normally placed in the patient's mouth by the patient himself. Instruct and demonstrate placement of intraoral appliances that the patient will have to do by himself or herself out of the office.~~
- 13) Take impressions of the mouth for the purpose of making diagnostic casts or model casts and opposing models.
- 14) For impressions other than those used for diagnostic purposes, selection of impression trays and holding of impressions after they have been seated by dentist, and remove such impression at the direction of the dentist.
- 15) Instruct patients in the use of all oral hygiene products, intraoral elastics, or the care and use of orthodontic appliances, including intraoral and extraoral demonstration.
- 16) ~~Preselection extraorally of preformed orthodontic bands and/or brackets only.~~
- 17) Remove ligature ties, cut and tuck ligatures, remove tension devices and any loose or broken bands or arch wires.
- 18) Fixation (ligations, pinning, or fastening) of any arch wire after fitting and placement of that arch wire by a licensed dentist.
- 19) Remove an arch wire.
- 20) Take patient's vital signs, i.e., blood pressure and pulse, etc.
- 21) Apply topical anesthetics.
- 22) Apply microidentification dots.
- 23) Place and remove retraction cord.
- 24) Instruct patient in use of bleaching agents.
- 25) Fabricate and remove temporary crowns.
- 26) Remove excess cement from restorations and appliances that have been placed by the dentist.
- 27) Use acid etch for the purpose of preparing teeth for pit and fissure sealants and preparation for placement of orthodontic brackets.
- 28) Place amalgam and composite material into cavity preps for condensation by the dentist.

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- 29) Place and remove orthodontic separators for the purpose of timely placement of orthodontic appliances.
- 30) Preselection of prescribed trial fitting of orthodontic brackets, bands, stainless steel crowns and doctor-prescribed archwires intraorally.
- 31) Take intraoral photographs and imaging.
- 32) Directs the performance of procedures which do not require direct contact with patients. The dentist need not be physically present in the office during the performance of these procedures.
- 33) Supervision, as defined in Section 4 of the Act, means the supervision of a dental assistant requiring that a dentist authorize the procedure, remain in the dental facility while the procedure is performed, and approve the work performed by the dental assistant before dismissal of the patient, but does not mean that the dentist must be present at all times in the treatment room.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1220. Appendix C Dental Hygienist Permitted Procedures

- a) In addition to those activities specified in Section 18 of the Act. The following procedures may be performed by a registered dental hygienist:
 - 1) Polish restorations without changing the anatomy, contour or occlusion of the tooth.
 - 2) Perform root planing and ~~closed~~ soft tissue curettage.
 - 3) Place temporary restorations following examination and instruction by the dentist.
 - 4) Apply topical anesthetics and topical medicaments.
 - 5) Record existing conditions through the use of radiographs.
 - 6) Perform intraoral dental laboratory tests, ~~such as~~ including but not limited to, oral cytology smears, and pulp vitality tests and caries tests.
 - 7) Apply pit and fissure sealants to teeth, as prescribed by the dentist.
 - 8) ~~Remove temporary crowns and restorations using hand instruments.~~

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- g) Do intraoral irrigation and sulcular irrigation.
- h) Remove overhanging margins without the use of rotary instruments.
- b) Except under the conditions specified in Section 18(b) of the Act a dental hygienist may be employed or engaged only under the supervision of a licensed dentist.
- c) Supervision, as defined in Section 4 of the Act, means the supervision of a dental hygienist requiring that a dentist authorize the procedure, remain in the dental facility while the procedure is performed, and approve the work performed by the dental hygienist before dismissal of the patient, but does not mean that the dentist must be present at all times in the treatment room.
- e) ~~"SUPERVISION" MEANS THE SUPERVISION OF A DENTAL HYGIENIST REQUIRING THAT A DENTIST AUTHORIZE THE PROCEDURE, REMAIN IN THE DENTAL FACILITY WHILE THE PROCEDURE IS PERFORMED, AND APPROVE THE WORK PERFORMED BY THE DENTAL HYGIENIST BEFORE DISMISSAL OF THE PATIENT BUT DOES NOT MEAN THAT THE DENTIST MUST BE PRESENT AT ALL TIMES IN THE TREATMENT ROOM.~~
(Section 4 of the Act)

(Source: Amended at 17 Ill. Reg. _____, effective _____)

- 1) Heading of the Part: Reimbursement For Nursing Costs For Geriatric Facilities

- 2) Code Citation: 89 Ill. Adm. Code 147

- 3) Section Numbers: Proposed Action:

147.5 Amendment
147. Table C Amendment
147. Table F Amendment

- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) [305 ILCS 5/12-13]

- 5) Complete Description of the Subjects and Issues Involved: These proposed amendments primarily address social services requirements in nursing facilities. In Section 147. Table F, changes are proposed which specify that staff who co-sign monthly and quarterly social services notes, must meet the federal requirements for a qualified social worker. A federally qualified social worker must have a bachelor's degree in social work or some other human services field, while an Illinois licensed social worker must have a bachelor's degree in social work. The revisions also indicate that facilities must comply with the social services standards of the Illinois Department of Public Health.

Changes are being proposed to Section 147. Table F regarding resident counseling about advance directives, and changes specify that resident counseling about advance directives as well as Medicare/Medicaid programs, medical services, community support services and personal allowances must be provided initially and annually thereafter.

Proposed changes are also being made in Section 147. Table C, which state new requirements concerning the composition of the interdisciplinary team in nursing facilities, and technical changes are being made in Section 147.5 to add previously omitted language and update a cross reference to Section 147. Table L.

Implementation of these proposed amendments will not result in any additional expenditures by the Department.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

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- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Joanne Jones, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.
- 12) Initial Regulatory Flexibility Analysis:
- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
January 29, 1993
- B) Types of small businesses affected: Nursing Facilities
- C) Reporting, bookkeeping or other procedures required for compliance:
None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 147

REIMBURSEMENT FOR NURSING COSTS FOR GERIATRIC FACILITIES

Section	
147.5	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities
147.15	Comprehensive Resident Assessment
147.25	Functional Needs and Restorative Care
147.50	Service Needs
147.75	Definitions
147.100	Reconsiderations
147.105	Midnight Census Report
147.125	Times and Staff Levels
147.150	Statewide Rates
147.175	Referrals
147.200	Basic Rehabilitation Aide Training Program
147.205	Nursing Rates
147.250	Costs Associated with the Omnibus Budget Reconciliation Act of 1987 (P.L. 100-203)
147.300	Determination of Program (Psychiatric Rehabilitation Services) Costs
147.305	Psychiatric Rehabilitation Service Requirements for Individuals With Mental Illness in Residential Facilities
147.310	Inspection of Care (IOC) Review Criteria for the Evaluation of Psychiatric Rehabilitation Services in Residential Facilities for Individuals with Mental Illness
147.315	Comprehensive Functional Assessments and Reassessments
147.320	Interdisciplinary Team (IDT)
147.325	Comprehensive Program Plan (CPP)
147.330	Specialized Care - Administration of Psychopharmacologic Drugs
147.335	Specialized Care - Behavioral Emergencies
147.340	Discharge Planning
147.345	Reimbursement for Program Costs in Nursing Facilities Providing Psychiatric Rehabilitation Services for Individuals with Mental Illness
147.350	Reimbursement for Additional Program Costs Associated with Providing Specialized Services for Individuals with Developmental Disabilities in Nursing Facilities
147.TABLE A	Staff Time and Allocation by Need Level
147.TABLE B	Staff Time and Allocation for Restorative Programs
147.TABLE C	Comprehensive Resident Assessment
147.TABLE D	Functional Needs and Restorative Care
147.TABLE E	Service
147.TABLE F	Social Services
147.TABLE G	Therapy Services

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147.TABLE H	Determinations
147.TABLE I	Activities
147.TABLE J	Signatures
147.TABLE K	Rehabilitation Services
147.TABLE L	Personal Information

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6503-1 et seq.) [20 ILCS 2215/3-1 et seq.] and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13) [305 ILCS 5/3-1 et seq., 5/4-1 et seq., 5/5-1 et seq., 5/6-1 et seq., 5/7-1 et seq. and 5/12-13]

SOURCE: Recodified from 89 Ill. Adm. Code 140.900 thru 140.912 and 140.Table H and 140.Table I at 12 Ill. Reg. 6956; amended at 13 Ill. Reg. 559, effective January 1, 1989; amended at 13 Ill. Reg. 7043, effective April 24, 1989; emergency amendment at 13 Ill. Reg. 10999, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 16796, effective October 13, 1989; amended at 14 Ill. Reg. 210, effective December 21, 1989; emergency amendment at 14 Ill. Reg. 6915, effective April 19, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days; emergency expired November 1, 1990; emergency amendment at 14 Ill. Reg. 14203, effective August 16, 1990, for a maximum of 150 days; emergency expired January 13, 1991; emergency amendment at 14 Ill. Reg. 15578, effective September 11, 1990, for a maximum of 150 days; emergency expired February 8, 1991; amended at 14 Ill. Reg. 16669, effective September 27, 1990; amended at 15 Ill. Reg. 2715, effective January 30, 1991; amended at 15 Ill. Reg. 3058, effective February 5, 1991; amended at 15 Ill. Reg. 6238, effective April 18, 1991; amended at 15 Ill. Reg. 7162, effective April 30, 1991; amended at 15 Ill. Reg. 9001, effective June 17, 1991; amended at 15 Ill. Reg. 13390, effective August 28, 1991; emergency amendment at 15 Ill. Reg. 16435, effective October 22, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 4035, effective March 4, 1992; amended at 16 Ill. Reg. 6479, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 13361, effective August 14, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 14233, effective August 31, 1992; amended at 16 Ill. Reg. 17332, effective November 6, 1992; amended at 17 Ill. Reg. 1128, effective January 12, 1993; amended at 17 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 147.5 Reimbursement For Nursing Costs For Geriatric Residents In Group Care Facilities

- a) Sections 147.15 through 147.175 describe the Department's method of

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147.TABLE H	Determinations
147.TABLE I	Activities
147.TABLE J	Signatures
147.TABLE K	Rehabilitation Services
147.TABLE L	Personal Information

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6503-1 et seq.) [20 ILCS 2215/3-1 et seq.] and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13) [305 ILCS 5/3-1 et seq., 5/4-1 et seq., 5/5-1 et seq., 5/6-1 et seq. and 5/12-13]

SOURCE: Recodified from 89 Ill. Adm. Code 140.900 thru 140.912 and 140.Table H and 140.Table I at 12 Ill. Reg. 6956; amended at 13 Ill. Reg. 559, effective January 1, 1989; amended at 13 Ill. Reg. 7043, effective April 24, 1989; emergency amendment at 13 Ill. Reg. 10999, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 16796, effective October 13, 1989; amended at 14 Ill. Reg. 210, effective December 21, 1989; emergency amendment at 14 Ill. Reg. 6915, effective April 19, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 9523, effective June 4, 1990, for a maximum of 150 days; emergency expired November 1, 1990; emergency amendment at 14 Ill. Reg. 14203, effective August 16, 1990, for a maximum of 150 days; emergency expired January 13, 1991; emergency amendment at 14 Ill. Reg. 15578, effective September 11, 1990, for a maximum of 150 days; emergency expired February 8, 1991; amended at 14 Ill. Reg. 16669, effective September 27, 1990; amended at 15 Ill. Reg. 2715, effective January 30, 1991; amended at 15 Ill. Reg. 3058, effective February 5, 1991; amended at 15 Ill. Reg. 6238, effective April 18, 1991; amended at 15 Ill. Reg. 7162, effective April 30, 1991; amended at 15 Ill. Reg. 9001, effective June 17, 1991; amended at 15 Ill. Reg. 13390, effective August 28, 1991; emergency amendment at 15 Ill. Reg. 16435, effective October 22, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 4035, effective March 4, 1992; amended at 16 Ill. Reg. 6479, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 13361, effective August 14, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 14233, effective August 31, 1992; amended at 16 Ill. Reg. 17332, effective November 6, 1992; amended at 17 Ill. Reg. 1128, effective January 12, 1993; amended at 17 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 147.5 Reimbursement For Nursing Costs For Geriatric Residents In Group Care Facilities

- a) Sections 147.15 through 147.175 describe the Department's method of

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Section 147.5(a) (continued)

reimbursement for nursing costs for geriatric residents in group care facilities, based on resident's need for care and the time and type of staff required to provide that care.

b) Resident Assessment Guidelines

The Resident Assessment Instrument is used to assess the variable needs of public assistance residents for determination of statewide rates and facility reimbursement levels. The Resident Assessment guidelines are described in Sections 147.15 through 147.75.

c) Interpretive Guidelines

The interpretive guidelines have been developed as a reference and working tool for staff and nursing facilities during the Inspection of Care (IOC) survey. The interpretive guidelines are described in Section 147. Table C through Table-K Table L.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 147. TABLE C Comprehensive Resident Assessment

a) Verification of Level of Service

A comprehensive resident assessment must be completed within 14 days of admission or, in the case of a significant change in resident condition, as soon as the resident stabilizes at a new functional or cognitive level or within 14 days, whichever is earlier and must be repeated no less often than every 12 months from the date of the last full comprehensive resident assessment. A comprehensive care plan must be developed within seven days of completion of the comprehensive resident assessment and updated every 90 days or sooner if the resident has experienced a significant change in status. The interdisciplinary team must examine each resident no less than once every 90 days and, as appropriate, revise the resident's assessment to assure the continued accuracy of the assessment. A resident would score on this level if two or more full comprehensive assessments were necessary and completed in the past year because of a significant change in the resident condition.

b) Needs Not Met.

- 1) Comprehensive resident assessment not completed within 14 days of admission or, in the case of a significant change in condition, as soon as the resident stabilizes at a new

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Section 147. Table C(b)(1) (continued)

functional or cognitive level or within 14 days, whichever is earlier.

- 2) Comprehensive resident assessment not completed within 12 months from the date of the last comprehensive resident assessment.
- 3) Care plan not developed by interdisciplinary team within seven days of completion of the comprehensive resident assessment or care plan not updated every 90 days or sooner if the resident has experienced a significant change in status.
- 4) Comprehensive resident assessment not reviewed and updated at least quarterly as indicated by date and signature of person completing the quarterly review.
- 5) The assessment process is not coordinated by a registered nurse, as indicated by date and signature on comprehensive assessment.

c) Agency Note

- 1) Nursing home residents admitted prior to October 1, 1990 are required to have a minimum data set comprehensive assessment completed before October 1, 1991. IOCs which take place between January 1, 1991 and October 1, 1991 which include residents admitted prior to October 1, 1990 who have not yet had a minimum data set comprehensive resident assessment are to be scored "0" with no Need Not Met given.
- 2) Reassessment must be consistent with observation, interview progress notes and care plan.
- 3) Interdisciplinary team may ~~shall~~ include, ~~but is not limited to,~~ resident, resident's family and/or legal representative and/or guardian; attending physician; registered nurse; licensed nurse responsible for resident; social service staff; and other appropriate staff in disciplines as determined by the resident's needs; such as, activity staff; ~~social-service-staff;~~ dietary staff; direct care certified nurses' aide; and rehabilitation personnel; ~~housekeeping-staff; and maintenance-staff.~~
- 4) A "significant change" means any of the following:
 - A) Deterioration in two or more activities of daily living, communication and/or cognitive abilities that appear permanent. For example, simultaneous functional and cognitive decline often experienced by residents with

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Section 147.Table C(c)(4) (continued)

- chronic, degenerative illness such as Alzheimer's Disease or pronounced functional changes following a stroke.
- B) Loss of ability to freely ambulate or to use hands to grasp small objects to feed or groom oneself such as a spoon, toothbrush or comb. Such losses must be permanent and not attributable to identifiable, reversible causes such as drug toxicity from introducing a new medication or an episode of acute illness such as influenza.
- C) Deterioration in behavior, mood and/or relationships where staff conclude that these changes in the resident's psychosocial status are not likely to improve without staff intervention.
- D) A serious clinical complication.
- E) A new diagnosis of a condition that is likely to affect the resident's physical, mental or psychosocial well-being over a prolonged period of time.
- F) Onset of a significant weight loss or weight gain (5% in one month, 7.5% in three months, 10% in six months or a continuous weight loss or gain over six months) which is not a care plan goal.
- G) Deterioration in a resident's health status where this change places the resident's life in danger, e.g., stroke, heart condition or diagnosis of metastatic cancer; is associated with a serious clinical complication, e.g., initial onset of nonrelieved delirium, or recurrent loss of consciousness; or is associated with an initial new diagnosis of a condition that is likely to affect the resident's physical, mental or psychosocial well-being over a prolonged period of time, e.g., Alzheimer's Disease or diabetes.
- H) A marked and sudden improvement in the resident's status; for example, a comatose resident regaining consciousness.
- 5) Document in progress notes the initial identification of a significant change in status.
- 6) Once the interdisciplinary team determines the resident's change in status is likely to be permanent, complete a full comprehensive assessment within 14 days of this determination.

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Section 147.Table C(c) (continued)

- 7) Do not assess the resident if declines in a resident's physical, mental or psychosocial well-being are being attributed to:
- A) Discrete and easily reversible cause(s) documented in the resident's record and for which facility staff can initiate corrective action. For example, an anticipated side effect of introducing a psychotropic medication while attempting to establish a clinically effective dose level.
- B) Short term acute illness such as a mild fever secondary to a cold from which facility staff expect full recovery of the resident's premorbid functional abilities and health status.
- C) Well established, predictive cyclical patterns of clinical signs and symptoms associated with previously diagnosed conditions. For example, depressive symptoms in a resident previously diagnosed with bipolar disease.
- 8) The facility may amend assessment information collected during the 14 days postadmission period up until the 21st day after admission if any of the following three circumstances occur:
- A) Staff have no way to complete an item by the 14th day because information is not available;
- B) Further observation and interaction with the resident reveals the need to alter the initial assessments in any of the following MDS domains: cognitive patterns, communication patterns, potential for self-care improvement/rehabilitation; psychosocial well-being, mood and behavior patterns and activity pursuit patterns; or
- C) Upon admission, the resident's condition is unstable because he/she is experiencing an acute illness or flare-up of a chronic problem and the acute illness or chronic problem is controlled by the 21st day.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 147.TABLE F Social Services

- a) Verification of Level of Services
- 1) Initial (annual) assessment present and updated as needed every

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Section 147.Table F(a)(1) (continued)

90 days or sooner if the resident has experienced a significant change in status.

- 2) Initial history present and updated.
- 3) Social service needs identified on the assessment are addressed on care plan.
- 4) Quarterly notes (cosigned by ~~qualified-social-worker~~ a person with a bachelor's degree in social work or a bachelor's degree in a human services field including but not limited to sociology, special education, rehabilitation counseling, and psychology; and one year of supervised social work experience in a health care setting working directly with individuals, if necessary). ~~(See-definition-of-qualified-social-worker.)~~ (Level 1)
- 5) Monthly notes (cosigned by ~~qualified-social-worker~~ a person with a bachelor's degree in social work or a bachelor's degree in a human services field including but not limited to sociology, special education, rehabilitation counseling, and psychology; and one year of supervised social work experience in a health care setting working directly with individuals, if necessary). ~~(See-definition-of-qualified-social-worker.)~~ (Level 2)
- 6) Signed documentation that resident has been informed of his/her rights, initially and annually thereafter.
- 7) Signed documentation in records denoting that staff has counseled resident and/or family and/or guardian on Medicare/Medicaid programs (including prevention of spousal impoverishment), advance directives, medical services, community support services, personal allowances initially and annually thereafter and assisted with applications as needed.
- 8) Documentation of contacts made or attempted or services provided with resident's choice of pastoral care.
- 9) Copies of letters sent to family/guardian encouraging them to attend the care plan conference and/or family/guardian signature on care plan and/or documentation in the clinical record that the resident was encouraged to attend care plan conference.
- 10) Documentation that staff has counseled resident and/or family and/or guardian on resident council functions, purposes, etc.

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Section 147.Table F(a) (continued)

- 11) Documented results of follow-up to standard monthly interview (Level 2).
- b) Need Not Met
 - 1) Initial (annual) assessment not present, current or accurate.
 - 2) Social history not present or current.
 - 3) Identified needs not addressed on care plan.
 - 4) No documentation that resident is informed of rights initially or annually.
 - 5) No documentation that resident has been informed of Medicare/Medicaid or other community programs available initially and annually thereafter. No assistance given in applying for such services.
 - 6) No documentation of attempts to secure choice of pastoral services.
 - 7) No documentation of resident or family invitation to care plan conferences.
 - 8) No documentation of attempts, at least annually, to involve resident in resident council.
 - 9) No documentation of monthly resident interviews or follow-up to issues uncovered during the interview (Level 2 only).
- c) Agency Notes
 - 1) The standard social service interview should include questions concerning:
 - A) Dining
 - B) Schedule preferences
 - C) Activity preferences, including recreation and social contacts, clubs and hobbies
 - D) Outside contacts
 - E) Money matters

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Section 147. Table F(c)(1) (continued)

- F) Care delivery
- G) Care planning
- H) Security and personal property
- I) Privacy
- J) Resident compliments and complaints
- K) Other social service concerns
- L) Resident council
- M) Family involvement

- 2) Initial history should include, but is not limited to, occupational, educational and family history.
- 3) Social service designees (not qualified social-worker a person with a bachelor's degree in social work or a bachelor's degree in a human services field including but not limited to sociology, special education, rehabilitation counseling, and psychology; and one year of supervised social work experience in a health care setting working directly with individuals, but performing social work duties in facility) must have on-going consultation of licensed social worker, with notes co-signed by the licensed social worker qualified social-worker or a person with a bachelor's degree in social work or a bachelor's degree in a human services field including but not limited to sociology, special education, rehabilitation counseling, and psychology; and one year of supervised social work experience in a health care setting working directly with individuals. Facilities shall also meet the social service requirements as set forth in 77 Ill. Adm. Code 300.
- 4) If a resident, family or guardian is unable to attend a care conference, the facility provides an opportunity and documents efforts to discuss problems/issues with resident, family or guardian at least quarterly either by individual, family or guardian conferences, by letter or by phone.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Violations
- 2) Code Citation: 11 Ill. Adm. Code 1303
- 3) Section Numbers: 1303.70 Proposed Action: Amendment
- 4) Statutory Authority: ILCS 1992, ch. 230, sec. 5/1 et seq.
- 5) A complete description of the subjects and issues involved: This rulemaking outlines penalties for violations of financial responsibility.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? No.
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:
All comments should be submitted in writing, within 30 days of this notice, to:

Illinois Racing Board, Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601
- 12) Initial Regulatory Flexibility Analysis:
 - A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: January 27, 1993.
 - B) Types of small business affected: None
 - C) Reporting, bookkeeping or other procedures required for compliance: None
 - D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

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c) The creditor shall file a Release (or Satisfaction) of Judgment with the stewards when the obligation has been satisfied. Failure on the part of the complainant to file a satisfaction of judgment shall result in a civil penalty, not to exceed \$500.00.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER f: RULES AND REGULATIONS OF HARNESS RACING

PART 1303
VIOLATIONS

- Section 1303.10 Violators
- 1303.20 Penalties
- 1303.30 Attempt at Violations
- 1303.40 Who May Impose Penalties
- 1303.50 Payment of Fines
- 1303.60 Unpaid Fines
- 1303.70 Financial Responsibility

AUTHORITY: Implementing and authorized by Sections 9(b), 9(1) and 15, of the Illinois Horse Racing Act of 1975 (ILCS 1992, ch. 230, sec.5/1 et seq.)

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); codified at 5 Ill. Reg. 10921; amended at 17 Ill. Reg. _____, effective _____.

Section 1303.70 Financial Responsibility

Any individual who shall accumulate unpaid obligations, or default in any obligations, or refuse to pay checks, or fail to deliver dishonored, or paymate refused, or otherwise display financial irresponsibility, or fail to show his experience, character, or general fitness, shall be subject to refusal, suspension, or revocation of license.

- a) A creditor who alleges an unpaid obligation or default in obligation, directly relating to horse racing (e.g., hay vendors, tack shops and veterinarians) shall submit to the Board a Court judgment describing the same. The stewards shall notify the licensee that a judgment has been filed with the Board and he/she shall have 30 days to satisfy said judgment.
- b) In the event the licensee appeals the Court judgment within 30 days, the stewards shall not take any action against the licensee. If after the 30 days the judgment remains unsatisfied and no further Court action has been initiated the stewards shall have the power to suspend the licenses or deny the pending license application.

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1) Heading of the Part: Confidentiality of Information2) Code Citation: 89 Ill. Adm. Code 5053) Section Numbers: Proposed Action:

505.5	Amendment
505.10	Amendment
505.30	Amendment
505.40	Amendment
505.50	Amendment
505.60	Amendment
505.70	Amendment
505.80	Amendment

4) Statutory Authority: Implementing Section 3(a), 5a, and 13(g) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), 3437 and 3444(g)) (20 ILCS 2405/3a, 5a, 13g)), and Social Security Regulations (20 CFR 401 (1992)) and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) (20 ILCS 5/16)5) A Complete Description of the Subjects and Issues Involved:
To bring DORS' confidentiality Rules in line with applicable laws, regulations and statutes and to clarify the rules.6) Will this proposed rule replace an emergency rule currently in effect? No7) Does this rulemaking contain an automatic repeal date?
___ Yes X No8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No9) Are there any other amendments pending on this Part? NoSection Numbers Proposed Action Illinois Register Citation10) Statement of Statewide Policy Objectives (if applicable):
This is not applicable to this Rulemaking.11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

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Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 505

CONFIDENTIALITY OF INFORMATION

Section	
505.5	Definitions (Renumbered)
505.10	General
505.20	Definitions (Renumbered)
505.30	Ownership of Records
505.40	Release of Confidential Information without the Consent of the Client
505.50	Release of Confidential Information with the Consent of the Client
505.60	Procedures
505.70	Subpoenas
505.80	Additional Rules

AUTHORITY: Implementing Sections 3(a), 5a, and 13(g) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3434(a), 3437 and 3444(g)) (20 ILCS 2405/3a, 5a, 13g)), and Social Security Regulations (20 CFR 401 (1992)) and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) (20 ILCS 5/16)

SOURCE: Adopted at 7 Ill. Reg. 5247, effective April 1, 1983; amended at 8 Ill. Reg. 15493 effective August 15, 1984; amended at 9 Ill. Reg. 16971, effective October 16, 1985; amended at 11 Ill. Reg. 9952, effective May 8, 1987; amended at 15 Ill. Reg. , effective May 7, 1991; amended at 17 Ill. Reg. _____, effective _____.

Section 505.5 Definitions (Renumbered)

Client -- Means a person who is receiving, has received, or has applied for any DORS services, including a student at a DORS school, or the person empowered by law to act on behalf of the client.

Confidential Information -- Means all closed, active and future records and conversations (including telephone/telecommunication devices for the Deaf (TDD)/Text Telephone (TT)) between the client and counselor kept by DORS, concerning the client's program of

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services. Printouts from TDD/TT conversations must be destroyed upon completion and documentation of the call.

DORS -- Means the Illinois Department of Rehabilitation Services.

Employee -- Means any person employed by DORS to participate in the delivery of DORS' programs. As used in this Part, the term shall also include supervisory level personnel and others in management positions.

Guardian -- Means the person appointed by a court as the guardian of the person of a minor or of an adult.

Parent -- Means either a natural or adoptive parent, except those whose parental rights have been terminated voluntarily or by order of a court, or otherwise restricted by order of a court.

Representative -- Means the person that the client by Power of Attorney, or otherwise in writing, has authorized to act on the client's behalf.

Services -- Means the assistance and support available under DORS' program to a client.

(Source: amended at 17 Ill. Reg. _____, effective _____)

Section 505.10 General

a) DORS through its facilities and various offices, shall maintain records on all clients. All records shall be of a confidential nature and shall not be made available to the general public.

b) Except as required or allowed in this Part, no confidential information obtained concerning clients may be disclosed without the consent of that individual. If the information concerns a minor, the consent of a parent or guardian must also be obtained. After a person has reached the age of 18 years, the records of that individual may be disclosed only with the consent of that individual, or, if one has been appointed, the guardian of the person of an adult.

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- c) Except as provided in this Part, each client who has reached 12 years of age, a parent of a minor client, or a guardian or duly authorized representative of a client shall have full access to all records which contain that person's confidential information contained in the client's record. A parent or guardian of a minor shall also have full access to the confidential information contained in the records of that minor.
- d) All clients, representatives, service providers, cooperating agencies, and interested persons shall be informed of the confidentiality of personal information and the conditions for accessing and releasing this information.
- e) All clients and their representatives must be informed about DORS' need to collect personal information and the policies governing its use. DORS shall inform clients of the following:
- 1) the authority under which information is collected;
 - 2) the principal purposes for which DORS intends to use or release the information;
 - 3) whether the client's provision of the information is mandatory or voluntary and the effects of not providing requested information to DORS;
 - 4) those situations where DORS requires or does not require informed written consent of the client before information may be released; and
 - 5) other agencies to which information is routinely released and the types of information so released.
- f) All explanations to clients and their representatives about state policies and procedures affecting confidential information must be in the client's primary language and must be through appropriate modes of communication for those individuals who rely on special modes of communication, including Braille.
- g) Any person entitled to access client files (as set forth in Section 505.50(a) of this Part) may

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- inspect those files and request modification of any part of the record which he or she believes is misleading. If such a request is refused, the client is entitled to submit a written rebuttal to such records and submit the rebuttal for incorporation as a permanent part of the record. Whenever the disputed part of the record is disclosed, the rebuttal shall accompany the disclosed part.
- h) Information in case records received from, or developed for, the Social Security Administration (SSA) shall be controlled by its regulations governing confidentiality (20 CFR 401, (1992)). Such information in the records of DORS' Bureau of Disability Determination Services shall be available to the other sections of DORS in connection with the delivery of services to a client. However, should such information be sought by a client, the inquiry shall be directed to the originating source of the information or the SSA. However, by Federal law, a Member of Congress has a right to receive this information upon request.
- i) This Part shall not apply to the educational records maintained by any of DORS facilities. Such records are subject to the Illinois School Student Records Act (Ill. Rev. Stat. 1989, ch. 122, par. 50-1 et seq.) (105 ILCS 10/1 et seq.) and any regulations thereunder. Other DORS records received and maintained by the facilities operated by DORS shall not be commingled with the educational records and shall be governed by this Part.
- (Source: Amended at 17 Ill. Reg. _____, effective _____)
- Section 505.30 Ownership of Records
- All confidential information acquired by the Department DORS is the property of the Department DORS and shall remain so. All contracts, grants, agreements, and other documents entered into by the Department DORS shall so provide, and any attempt to waive this provision shall be void.
- (Source: Amended at 17 Ill. Reg. _____, effective _____)

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Section 505.40 Release of Confidential Information without the Consent of the Client

a) An employee may, in the course of providing services, disclose confidential information without the consent of the client to other DORS employees (e.g., counselor's supervisor, Legal Counsel, Hearings Coordinator), with the exception cited in Section 505.80(b) and (c). However, information in a vocational rehabilitation file may be shared only if it is for the administration of the VR program. Information in a VR file may be released to HSP, DDS and other non-VR divisions only if the client whose information is to be released consents.

b) Pursuant to DORS' obligations under federal and state law and regulations to utilize both similar benefits and alternative programs for which a client may be eligible, the employee may disclose to agencies having such programs or benefits personal identifying information obtained during the intake process without the consent of the client. However, only such personal identifying information as is essential to the referral shall be disclosed. The remainder of the information shall only be released to another agency after written consent from the client is obtained.

c) Only the Director shall authorize the release of confidential information to an organization, agency, or individual engaged in audit, evaluation, research, or employee disciplinary actions and only for purposes directly connected with the administration of the program or for purposes which would significantly improve the quality of life for persons with disabilities. The organization, agency, or individual shall assure that:

- 1) the information shall be used only for the purposes for which it is being provided;
- 2) the information shall be released only to persons officially connected with the audit, evaluation or research, or employee disciplinary action;
- 3) the information shall not be released to the client;

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- 4) the information shall be managed in a manner to safeguard confidentiality; and
- 5) the final product shall not reveal any personal identifying information without the informed written consent of the client.

d) Organizations and individuals not directly involved in the DORS delivery of services shall not have access to confidential information. However, if such organizations or individuals request information from DORS which would be used in the development and planning of their own programs, then the Director may, in his/her discretion, conduct such studies and surveys on their behalf as they request and release the results to them deleting any personal identifying information regarding any clients. In determining whether to conduct such studies or surveys, the Director will consider such factors as the time demand on staff in developing responses, any past experience DORS has in working with the organization or individual, and the specific relationship of the study or survey questions to the program being planned. All other aspects of the studies or surveys shall be as agreed between parties. DORS may share confidential information on a need-to-know basis with its trainees, interns, counselor aides, and volunteers, who shall be bound by DORS rules concerning confidentiality in the same manner as employees.

e) Confidential information may also be released without consent in the following situations:

- 1) in order to protect the client or others when the client poses a threat to his/-other safety or to the safety of others;
- 2) if required by federal law;
- 3) in response to investigations in connection with law enforcement, fraud or abuse; or
- 4) in response to judicial order, including a subpoena.

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f) 1) Confidential information shall be released without consent to the Department of Children and Family Services if the employee has reasonable cause to believe a child is or has been neglected or abused, in accordance with the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1989, ch. 23, par. 2051 et seq.) (325 ILCS 5/1 et seq.). "Reasonable cause" means that the available facts when viewed in light of surrounding circumstances would cause a reasonable person to believe that a child was abused or neglected.

2) For any report made to DORS concerning abused or neglected children, the DORS employee taking the report shall immediately make a verbal report, followed by a written report within 48 hours, regarding any and all information to the Department of Children and Family Services (DCFS) and shall make whatever follow-up reports are required by DCFS.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 505.50 Release of Confidential Information with the Consent of the Client

a) The client, parent of a minor client, guardian or representative may request and consent in writing to the release of confidential information to the client, parent of a minor client, guardian or representative, or other individual, agency or organization. The following rules shall apply to all such releases:

1a) When such a client requests for release of confidential information to the client, parent of a minor client, guardian or representative is received, all confidential information contained in the client's file may be inspected and copied with the exceptions as noted below:

A1) Information which has been obtained from another individual, agency or organization, unless it is a report of an examination purchased by the Department DORS, may be

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released only by the providing individual, agency or organization, or under conditions established by it. The client shall be informed of the source of such information in order to access it directly from the originator, should the Department DORS not be permitted to release it.

B2) Any medical or psychological information not precluded from release by Section 505.50(a)(1) which would be harmful to the client, as determined by the counselor, states that the client is terminally ill shall be released only to the client's parent, guardian, or representative, or to a physician or licensed or certified psychologist. When releasing such information, the Department DORS shall caution the receiver of the information that it may be harmful to the client and that, therefore, the receiver is responsible for the use of the information.

2b) When the client, parent of a minor client, guardian or representative requests release to another individual, agency or organization, the Department DORS, upon receiving the informed written consent of the client, shall release to such other individual, agency or organization for its program purposes only that information which may be released to the client, parent of a minor client, guardian or representative, and only to the extent that the other individual, agency or organization demonstrates that the information requested is necessary for its program. Information which is determined would be harmful to states that the client is terminally ill shall be released only when the other agency or organization assures the Department DORS that the information will be used only for the purpose for which it is being provided and will not be further released to the client.

b) --- The release by this Department of any clinical, social work, psychological, psychiatric or other information of a mental health or developmental

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~~disability-services-nature;-including-but-not-limited to;-examination;-diagnosis;-evaluation;-treatment;-training;-pharmaceuticals;-aftercare;-habilitation-or rehabilitation;-shall-be-governed-by-the-Mental-Health and-Developmental-Disabilities-Confidentiality-Act;- (Ill-Rev-Stat-1983;-ch-91-1/2;-part-801-et-seq-)-~~

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 505.60 Procedures

a) When confidential information is released, the Department ~~DORS~~ employee releasing it shall place a note on the ~~Case-Folder-MemorandumCASE FOLDER~~ MEMORANDUM stating the name of the person to whom it was given, the date, and the reason for such release. Additionally, the receiver shall be sent a notation from the releasing employee that the information is confidential and may be used only for the purposes for which it is released, and may not be further distributed without the written consent of both the ~~DepartmentDORS~~ and the client.

b) If a person outside the ~~DepartmentDORS~~ properly authorized under this ~~RuleSection~~ merely reads the confidential file, a notation shall be placed in the file stating his or her name, the name of the agency or organization, the date and the reason such reading or disclosure was permitted.

c) No confidential information shall be released over the telephone to persons outside the ~~Department DORS~~ without the written consent of the client or in situations authorized under this ~~RuleSection~~ when no consent is required. In all telephone contacts, including ~~DepartmentDORS~~ employees, involving the confidential information, a notation shall be made in the ~~Case-Folder-MemorandumCASE FOLDER~~ MEMORANDUM of the release.

d) The original file may not be removed from the control of the ~~DepartmentDORS~~, except in compliance with a subpoena or in the discretion of the Director, but may be viewed in the office in compliance with this Rule. All other releases requesting or requiring copies shall be provided through photocopies. The

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~~DepartmentExcept for clients, DORS may charge its actual cost for such copies.~~

(Source: Amended at 17 Ill. Reg. _____, effective _____)
Section 505.70 Subpoenas

a) When a subpoena for the production of records is received by DORS, the employee receiving it shall release such information in accordance with the requirements and procedures of this part, and with the terms of the subpoena. A written notice shall accompany the records identifying the removed material and directing the person issuing the subpoena for records to the proper source for release of Section 505.50 (a)(1) records or to the client for consent for Section 505.580(ba) records.

b) Information which is governed by the following sections shall be removed before releasing the file, if the release is other than in court;

1) Section 505.50 (a) (i) which a providing individual, agency or organization refuses to allow DORS to release; or

-----2)-----Section-505-50(b)-unless-the-client-has-consented to-the-release;-or

23) Section 505.80-(a).10 (h).

c) If an employee receives a subpoena to testify in court or in an administrative hearing, the employee shall immediately contact DORS Chief Legal Division Counsel to discuss the subpoena. If the subpoena requires a court appearance, the information shall be segregated in the file and the employee shall follow the order of the court after drawing the court's attention to the federal laws and regulations appertaining thereto.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 505.80 Additional Rules

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a) Social Security Administration information: Information in case records received from or developed for the Social Security Administration (SSA) shall be controlled by its regulations governing confidentiality (20 CFR 401, (1983)). Such information in the records of DORS, Bureau of Disability Determination Services shall be available to the other sections of DORS in connection with the delivery of services to a client. However, should such information be sought by a client, the inquiry shall be directed to the originating source of the information or the SSA. However, by Federal law, a Member of Congress has a right to receive this information upon request.

b) Education Records: This Part shall not apply to the educational records maintained by any of DORS facilities. Such records are subject to the Illinois School Student Records Act, (Ill. Rev. Stat. 1989, ch. 122, par. 50-1 et seq.) and any regulations thereunder. Other DORS records received and maintained by the facilities operated by DORS shall not be commingled with the educational records and shall be governed by this Part.

a) The release by DORS of any clinical, social work, psychological, psychiatric or other information of a mental health or developmental disability services nature, including, but not limited to, examination, diagnosis, evaluation, treatment, training, pharmaceuticals, aftercare, habilitation or rehabilitation, shall be governed by the Mental Health and Development of Disabilities Confidentiality Act (Ill. Rev. Stat. 1989, ch. 91 1/2, par. 801 et seq.) (740 ILCS 110/1) unless requirements of the federal regulations (34 CFR 361.49) are more stringent.

b) AIDS, ARC, HIV Information.

No person at a DORS school shall disclose or be compelled to disclose the identity of a DORS student who has been exposed to the human immunodeficiency virus (HIV), the identity of any person upon whom an HIV test is performed or the results of such a test without the written, informed consent of the student, or the student's legally authorized representative, except as permitted by law (Illinois AIDS

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Confidentiality Act, (Ill. Rev. Stat. 1989, ch. 111-1/2, par. 7301 et seq.).

No person or employee shall disclose or be compelled to disclose the identity of a client or of a DORS student who has been exposed to the human immunodeficiency virus (HIV), the identity of the person upon whom a HIV test is performed or the results of such a test without the written informed consent of the client or student, or legally authorized representative, except as permitted by the Illinois AIDS Confidentiality Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 7301 et seq.) (410 ILCS 305/1).

c) AIDS Information as it Relates to DORS' Schools

1) A DORS school principal shall only disclose the identity of an HIV infected student:

A) if notified by a public health authority (e.g., Illinois Department of Public Health, county or city health department) that the student has been exposed to the HIV infection;

B) if in the principal's judgement it is necessary per "An Act in relation to the prevention of certain communicable diseases" the Communicable Disease Prevention Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 22.12a) (410 ILCS 315/2a); and

C) if approval to share the information has been obtained through the chain of command to the Associate Deputy Director of the Bureau of Rehabilitation Services, but identifying information may not be disclosed to obtain approval.

2) If these conditions are met, the principal shall inform the following:

A) the superintendent of the DORS' school;

B) the school nurse;

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- C) other persons as shall be necessary in the principal's opinion, (e.g., dorm parent, wrestling coach, teachers in whose classes the student is enrolled) as long as the student's identity is not revealed; and
- D) those persons who are required to decide the student's placement or educational program, but only if there is a need to know such information in order to provide the student with medical services, e.g., when a student must take medication during school attendance or when the student's clinical condition necessitates other medical services.
- d) Media Requests. No confidential information requested by the media concerning a client shall be released, unless the written consent of the client, guardian or representative is first obtained.
- e) Legislative Requests. Release of Information to State Legislators or Legislative Bodies
- 1) Only the Director or client, guardian or representative can authorize the release of client information to the Illinois legislature, committees, commissions or employees thereof; except if:
 - A) access is authorized by the legislature by resolution or otherwise; or
 - B) a member of a committee or commission needs such information to advance legislation pending before such committee.
 - 2) Legislators may receive a general status report, not containing confidential information upon request.
 - 3) Auditors with specific legislative authority shall be given access to any and all records necessary for such audit. The auditors shall be prohibited by this Part from any further dissemination of confidential information beyond the scope of the audit, and shall similarly be bound by the statute governing the operation of the Auditor General's

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Office, and regulations promulgated pursuant thereto. Ill. Rev. Stat. 1989, ch. 15, par. 301-1 et seq. (301 ILCS 5/1-1 et seq.); Auditor General Regulation 3:3 11A(1), "Maintenance of Information."

- f) All reports made to DORS pursuant to the Domestic Abuse of Disabled Adults Intervention Act (Act) (Ill. Rev. Stat. 1991, ch. 23, par. 3395 - 1 et seq. (201 ILCS 2435/1 et seq.)) shall be confidential and may not be released except as follows:

- 1) To DORS employees for the purpose of the Act;
- 2) To law enforcement agencies investigating suspected abuse, neglect or exploitation;
- 3) To the adult disabled person who is the subject of the report;
- 4) To a court for an in camera inspection but only pursuant to a finding that access is necessary;
- 5) To a grand jury if it finds that access is necessary for an issue pending before it;
- 6) To any person authorized by DORS Director for audit or research purposes;
- 7) To a coroner or medical examiner; or
- 8) To the agency designated pursuant to the Protection and Advocacy for Developmentally Disabled Persons Act (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1151 et seq. (405 ILCS 40/1 et seq.)) and the Protection and Advocacy for Mentally Ill Act (Ill. Rev. Stat. 1991, ch. 91 1/2, par. 1351 et seq. (405 ILCS 45/1 et seq.)).

In addition, the identity of the reporter must be kept confidential unless express written consent is received from him/her to release his/her name.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits

2) Code Citation: 92 Ill. Adm. Code 1040

- 3) Section Numbers: Proposed Action
1040.101 Amendment

- 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (625 ILCS 5/2-104(b) formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 2-104(b)) and Section 6-100 et seq. of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-100 et seq. formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-100 et seq.).

- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking outlines the applicable reinstatement fees which are collected pursuant to Section 6-118 of the Illinois Vehicle Code.

- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Does this proposed rulemaking contain incorporations by reference? No, this amendment does not contain incorporations by reference.

- 9) Are there any other amendments pending on this part? No.

- 10) Statement of Statewide Policy Objective: This rulemaking will have no effect on local units of government.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

Robert J. Watkins
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-5356

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- 12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State does not feel this proposed rulemaking will affect any types of small businesses and the proposed rule has not been submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the proposed rule begins on the next page.

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Traffic Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid Driver's License
1040.30	3 or More Traffic Offenses Committed Within 12 Months
1040.31	Operating a Motor Vehicle During a Period of Suspension or Revocation
1040.32	Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident & Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.55	Suspension or Revocation for Driver's License Classification Violations
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.80	Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card
1040.100	Rescissions
1040.101	Reinstatement Fees

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-201 and 5/6-700 formerly Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 6-201 et seq. and 6-700 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (625 ILCS 5/2-104(b) formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 36, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3333, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674;

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amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20657, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 13, 1989; amended at 13 Ill. Reg. 8659, effective June 1, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 3664, effective February 27, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective March 22, 1990; amended at 14 Ill. Reg. 14177, effective August 21, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. _____, effective _____.

1040.101 Reinstatement Fees

a) For purposes of this Section, the following definitions shall apply:

"Concurrent Actions Requiring Reinstatement Fees" - situation in which a driver has either two (2) or more suspensions, except miscellaneous suspensions, or two (2) or more revocations or a combination thereof on the driving record which were in effect at the same time.

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Miscellaneous Suspensions" - suspensions for Safety Responsibility, Unsatisfied Judgment, Financial Responsibility and Auto Emissions violation.

"Reinstatement Fees" - fees required to restore a person's driving privileges after a person has been suspended or revoked pursuant to any provision of the Illinois Driver Licensing Law of the Illinois Vehicle Code or Section 11-501.1 of the Illinois Rules of the Road of the Illinois Vehicle Code (625 ILCS 5/11-501.1 and 5/6-100 et seq. formerly Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 6-100 et seq. and 11-501.1) as provided for in Section 6-118 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-118 formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-118).

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- b) The fee collected by the Department for reinstatement of a driver's license following a suspension ~~excluding statutory summary suspensions~~ shall be the rate that is in effect on the date the suspension began ~~unless the suspension started prior to January 1, 1980, and was not reinstated or renewed until January 1, 1980, or thereafter in which case payment will be equal to the rate in effect on January 1, 1980 as prescribed by Section 6-118 of the Illinois Driver Licensing Law of the Illinois Vehicle as now or hereafter amended (625 ILCS 5/6-118 formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-118).~~
- c) ~~The fee collected by the Department for reinstatement of a driver's license following a revocation or a statutory summary suspension shall be the rate that was in effect on the date of the reinstatement.~~
- d) ~~The fee collected by the Department for concurrent actions requiring reinstatement fees shall be the highest rate that would be charged for a single action if each action were considered separately.~~
- e) ~~In the case of a statutory summary suspension, the Department shall collect \$60.00 in reinstatement fees from the court as provided for in Section 6-118 of the Illinois Driver Licensing Law of the Illinois Vehicle Code.~~
- f) If a suspension or revocation is rescinded, the Department shall not collect a reinstatement fee for that specific action.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Numbers: Proposed Action
1030.17 New Section
- 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (625 ILCS 5/2-104(b) formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 2-104(b)) and Section 6-100 et seq. of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-100 et seq. formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-100 et seq.).
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking sets forth the procedure for a commuter van driver to obtain an Illinois driver's license to operate a for-profit ridesharing arrangement.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed rulemaking contain incorporations by reference? No, this amendment does not contain incorporations by reference.
- 9) Are there any other amendments pending on this part? Yes.

Section Number	Proposed Action	Illinois Register Citation
1030.115	Amendment	16 Ill. Reg. 17229 (November 13, 1992)
1030.120	Amendment	16 Ill. Reg. 12138 (July 31, 1992)
1030.130	Amendment	16 Ill. Reg. 12138 (July 31, 1992)

- 10) Statement of Statewide Policy Objective: This rulemaking will have no effect on local units of government.
- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

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SECRETARY OF STATE

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NOTICE OF PROPOSED AMENDMENT(S)

Robert J. Watkins
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-5356

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1030
ISSUANCE OF LICENSES

- 12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State does not feel this proposed rulemaking will affect any types of small businesses and the proposed rule has not been submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the proposed rule begins on the next page.

Section

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| 1030.10 | What Persons Shall Not be Licensed or Granted Permits |
| 1030.11 | Procedure for Obtaining a Driver's License |
| 1030.12 | Driver's License Medical Advisory Board |
| 1030.15 | Cite for Re-examination |
| 1030.17 | Errors in Issuance of Driver's License/Cancellation |
| 1030.20 | Classification of Drivers-References |
| 1030.30 | Classification Standards |
| 1030.40 | Fifth Wheel Equipped Trucks |
| 1030.50 | Bus Driver's Authority, Religious Organization and Senior Citizen Transportation Vehicle |
| 1030.55 | Commuter Van Driver Operating a For-Profit Ridesharing Arrangement |
| 1030.60 | Third-Party Certification Program |
| 1030.63 | Religious Exemption for Social Security Numbers |
| 1030.65 | Instruction Permits |
| 1030.70 | Driver's License Testing/Vision Screening |
| 1030.75 | Driver's License Testing/Vision Screening with Vision Aid |
| 1030.80 | Arrangements Other than Standard Eye Glasses or Contact Lens(es) |
| 1030.81 | Driver's License Testing/Written Test |
| 1030.84 | Endorsements |
| 1030.85 | Vehicle Inspection |
| 1030.86 | Driver's License Testing/Road Test |
| 1030.88 | Multiple Attempts/Road Test |
| 1030.89 | Exemption of Facility Administered Road Test |
| 1030.90 | Temporary Licenses |
| 1030.91 | Requirement for Photograph and Signature of Licensee on Driver's License |
| 1030.92 | Disabled Person/Handicapped Identification Card |
| 1030.93 | Restrictions |
| 1030.94 | Restricted Local Licenses |
| 1030.95 | Duplicate or Corrected Driver's License or Permit |
| 1030.100 | Consular Licenses |
| 1030.110 | Anatomical Gift Donor |
| 1030.115 | Emergency Medical Information Card |
| 1030.120 | Change-of-Address |
| 1030.130 | Issuance of a Probationary License |
| 1030.130 | Grounds for Cancellation of a Probationary License |
| 1030. | Appendix A Questions Asked of a Driver's License Applicant |
| 1030. | Appendix B Acceptable Identification Documents |

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-100 et seq. formerly Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 6-100 et seq.) and authorized by Section 2-104 (b) of the

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SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 12, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; amended at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendments at 17 Ill. Reg. 1219, effective January 13, 1993; amended at 17 Ill. Reg. _____, effective _____.

Section 1030.17 Errors in Issuance of Drivers License/Cancellation

a) For purposes of this Section, the following definitions shall apply:

"Administrative Error" - any act whereby an employee of the Secretary of State causes information, correctly submitted by the license applicant, to be incorrectly presented on said applicant's driver's license or permit.

"Cancellation" - the annulment or termination by formal action of the Secretary of a person's driver's license because the licensee is no longer entitled to such license in accordance with Sections 1-110 and 6-201 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/1-110 and 5/6-201 formerly Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 1-110 and 6-201).

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"Classification" - a designation as to the kind and type of vehicle a driver is entitled to operate as outlined in Sections 1030.20, 1030.30 and 1030.40 of this Part.

"Confirmed Medical Emergency" - documented medical emergency from a licensed physician specifying the cited driver is unable to appear during the 30 day re-examination period. This includes but is not necessarily limited to the following conditions: hospitalization, serious illness, broken limbs.

"Department" - the Department of Driver Services of the Office of the Secretary of State.

"Driver's License Issuance Error" - any act or omission by a Secretary of State employee which results in the driver being not qualified to hold the license as it is classified, restricted and/or endorsed.

"Driver Services Facility" - facility operated by the Secretary of State where driving examinations are administered and driver's licenses are issued.

"Endorsement" - an indication on the driver's license that the driver has qualified to operate certain types and/or combinations of vehicles, and/or carry specified cargo.

"Rescind Order" - a removal by formal action of an order canceling or denying the driver's license of an individual.

"Restriction" - requirement or condition added on a driver's license which, pursuant to Section 1030.92 of this Part, must first be met by the license holder before he/she may legally operate a motor vehicle.

b) In the event of a driver's license issuance error or administrative error, the Department shall provide the driver with written notice of his/her obligation to appear at a Driver Services Facility for issuance of a corrected driver's license without further testing pursuant to Section 6-207 of the Illinois Driver Licensing Law of the Illinois Vehicle Code. The Department shall allow the driver at least five (5) but no more than thirty (30) days from the notice date to obtain a corrected driver's license at no fee. No extension shall be granted to the driver, except upon receipt of a confirmed medical emergency. (625 ILCS 5/6-207 formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-207)

c) A driver who obtains a corrected driver's license shall be deemed to be in compliance with the Department's request and shall be allowed to retain his/her driving privileges.

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- d) Refusal or neglect of such driver to obtain a corrected driver's license within the specified period shall result in the cancellation of his/her driver's license pursuant to Sections 6-207(b), and 6-201(a)(1) of the Illinois Driver Licensing Law of the Illinois Vehicle Code.
- e) Any driver canceled pursuant to this Section will be allowed to obtain a corrected driver's license without retesting or paying an additional fee, if the driver is not otherwise ineligible for the same.
- f) An order rescinding the cancellation shall be entered on the record of a canceled driver who after being canceled under this Section obtains a corrected driver's license or renewal license.

(Source: Added at 17 Ill. Reg. _____, effective _____)

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 Ill. Adm. Code 1001

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1001.500	New Section
1001.510	New Section
1001.520	New Section
1001.530	New Section
1001.540	New Section

- 4) Statutory Authority: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103; and 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118) (625 ILCS 5/ 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118). Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101). Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3) (625 ILCS 5/ 2-103, 2-104, 6-205(c), and 6-206(c)3). Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208) (625 ILCS 5/ 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208). Subpart E implementing Sections 6-906, 6-908, 2-113, 2-118, 2-123, 6-103 and 6-201 and authorized by Sections 2-103, 2-104, 6-906 and 6-909 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, 6-909) (625 ILCS 5/ 2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, 6-908, 6-909).
- 5) A Complete Description of the Subjects and Issues Involved: Sets forth the manner in which hearings are to be held for Petitioners whose driving privileges have been cancelled or restricted due to medical reasons. See the Driver License Medical Review Law of 1992 (625 ILCS 5/6-900 et seq.)
- 6) Will this proposed amendment replace an emergency rule currently in effect?
Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

NOTICE OF PROPOSED AMENDMENTS

Sections Numbers	Proposed Action	Illinois Register Citation
1001.410	Emergency Amendment	16 Ill Reg 19926
1001.440	Emergency Amendment	16 Ill Reg 19926
1001.10	Amendment	16 Ill Reg 19761
1001.20	Amendment	16 Ill Reg 19761
1001.100	Amendment	16 Ill Reg 19761
1001.110	Amendment	16 Ill Reg 19761
1001.220	Amendment	16 Ill Reg 19761
1001.300	Amendment	16 Ill Reg 19761
1001.310	Amendment	16 Ill Reg 19761
1001.320	Amendment	16 Ill Reg 19761
1001.330	Amendment	16 Ill Reg 19761
1001.340	Amendment	16 Ill Reg 19761
1001.350	Amendment	16 Ill Reg 19761
1001.360	Amendment	16 Ill Reg 19761
1001.400	Amendment	16 Ill Reg 19761
1001.410	Amendment	16 Ill Reg 19761
1001.420	Amendment	16 Ill Reg 19761
1001.430	Amendment	16 Ill Reg 19761
1001.440	Amendment	16 Ill Reg 19761
1001.450	Amendment	16 Ill Reg 19761
1001.460	Amendment	16 Ill Reg 19761
1001.470	Amendment	16 Ill Reg 19761
1001.485	Amendment	16 Ill Reg 19761
1001.500	Emergency Amendment	17 Ill Reg 2049
1001.510	Emergency Amendment	17 Ill Reg 2049
1001.520	Emergency Amendment	17 Ill Reg 2049
1001.530	Emergency Amendment	17 Ill Reg 2049
1001.540	Emergency Amendment	17 Ill Reg 2049

10) Statement of Statewide Policy Objectives: These proposed amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on these proposed amendments may submit written comments no later than 45 days after the publication of this Notice to:

Jay L. Mesi, Senior Legal Advisor
Secretary of State
Department of Administrative Hearings
Room 200, Michael J. Howlett Building
Springfield, Illinois 62756

12) Initial Regulatory Flexibility Analysis: The Office has determined that these amendments will not affect small businesses.

NOTICE OF PROPOSED AMENDMENTS

The full text of the Proposed Amendments begins on the next page:

NOTICE OF PROPOSED AMENDMENTS

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

PROCEDURES AND STANDARDS

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section	
1001.400	Applicability
1001.410	Definitions
1001.420	General Provisions Relating to the Issuance of Restricted Driving Permits
1001.430	General Provisions for Reinstatement of Driving Privileges after Revocation
1001.440	Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations:- and Penalties Pursuant to Sections 6-205(a)2, 6-205(d), 6-206(a)1, 6-206(a)6, 6-206(a)17, 6-206(a)24, 6-206(a)31, 6-201, 6-203, 6-203.1 and 11-501.1
1001.450	New Hearings
1001.460	Requests for Modification of Revocations and Suspensions
1001.470	Renewal, Correction and Cancellation of RDP's
1001.480	Unsatisfied Judgement Suspensions
1001.485	Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact
1001.490	Invalidity

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

1001.500 Applicability

1001.510 Definitions

1001.520 Procedure

1001.530 Conduct of Meeting

1001.540 Subsequent Hearings

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS
IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

AUTHORITY: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103⁷, and 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. §989191, ch.95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118) (625 ILCS 5/ 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118). Subpart B implementing Chapter 7 and authorized by Sections 2-114, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. §989191, ch.95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101) (625 ILCS 5/ 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101). Subpart C implementing Sections 2-107, 2-108, 2-113, 2-114, and 7-101). Subpart D implementing Sections 2-103 and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. §989191, ch.95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3) (625 ILCS 5/ 2-103, 2-104, 6-205(c)). Subpart E authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. §989191, ch.95½, pars. 2-104, 6-103, 6-205(c), and 6-208) (625 ILCS 5/ 2-104, 6-103, 6-205(c)).

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6-206(c)3, and 6-208). Subpart E implementing Sections 6-906, 6-908, 2-113, 2-118, 2-123, 6-103 and 6-201 and authorized by Sections 2-103, 2-104, 6-906 and 6-909 of Chapter 95 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95), pars. 2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, 6-908, 6-909) (625 ILCS 5/ 2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, 6-908, 6-909).

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803 effective October 1, 1989, amended at 14 Ill. Reg. 2601 effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; emergency amendment at 16 Ill. Reg. 19926, effective December 8, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. _____, effective _____, for a maximum of 150 days; amended at 17 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes Statutory language.

SUBPART E: FORMAL MEDICAL HEARINGS

Section 1001.500 Applicability

This Subpart shall apply to all formal hearings conducted pursuant to the Illinois Vehicle Code relating to the cancellation, denial, or restriction of driving privileges of the Petitioner as the result of a determination by the medical review panel as provided in 92 Ill. Adm. Code 1030.16. Prior to a determination by a medical review panel, no person shall have a right to a formal medical hearing with the Secretary of State.

(Source: added at 17 Ill. Reg. _____, effective _____.)

Section 1001.510 Definitions

"Board" means the Illinois Medical Advisory Board appointed by the Secretary pursuant to Section 6-902 of the Driver License Medical Review Law of 1992 (625 ILCS 5/6-902).

"Board Member" means an Illinois Medical Advisory Board member.

"Chairperson" means the chairperson of the Illinois Medical Advisory Board.

"Medical Review Panel" means a panel of three board members selected by the chairperson who, at the request of a Petitioner, review a board member's initial determination regarding the issuance of driving privileges. See 92 Ill. Adm. Code 1030.16. This review is

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required prior to the Petitioner being eligible to apply for a formal medical hearing under this Subpart E.

"Secretary" means the Illinois Secretary of State.

(Source: Added at 17 Ill. Reg. _____, effective _____.)

Section 1001.520 Procedure

Hearings held under this Subpart shall be conducted in accordance with all of the rights, privileges, and procedures as set forth in Subpart A of this Part (92 Ill. Adm. Code Part 1001, Subpart A), except as otherwise provided for in this Subpart E.

(Source: added at 17 Ill. Reg. _____, effective _____.)

Section 1001.530 Conduct of Medical Formal Hearings

a) Due to the confidentiality of the evidence involved in these hearings, they are not open to the public and the evidence obtained and any order entered shall not be available to the public.

b) These hearings shall be conducted in Chicago or Springfield, depending upon the convenience of the hearing committee members and the Petitioner.

c) No board member shall be subject to depositions, interrogatories, or subpoena. All documents used by any board member in making a determination shall be made available, however, upon request by the Petitioner, if it is relevant to the issues to be decided at the formal medical hearing.

d) No prehearing conference will be allowed prior to the date of the hearing.

e) The burden of proof rests with the Petitioner to show by clear and convincing evidence that driving privileges should be granted.

f) Every hearing shall be conducted by a hearing committee which shall consist of:

1) A hearing officer who will preside over the hearing and perform the following duties:

A) Inform the Petitioner of the purpose of the hearing.

B) Inform the Petitioner of the scope of relevant medical

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issues which were determined by the medical review panel.

C) Read into the record the entries contained in the Petitioner's driving abstract.

D) Rule on motions, the admissibility of evidence, and determine all other nonmedical related issues pending before the hearing committee.

2) Three (3) members of the board, who shall be selected by the chairperson or his/her designee, based upon the member's expertise or specialty in the field of medicine at issue. These members shall determine all medical related issues pending before the committee, based upon the medical criteria found in 92 Ill. Adm. Code 1030.18

g) The hearing shall proceed in the following manner:

1) The hearing officer will introduce the individual members of the hearing committee.

2) The hearing officer will explain the scope of the medical issues and read into the record the contents of the Petitioner's driving abstract.

3) The Petitioner will be allowed to present evidence in the form of documents and/or testimony consistent with the scope of the hearing.

4) The hearing committee members will be allowed to ask questions of the Petitioner and/or any witnesses regarding the medical evidence presented. The hearing officer may ask questions concerning procedural and other matters as he/she deems necessary.

5) At the conclusion of the Petitioner's evidence and questioning by the hearing committee, the Petitioner will be allowed to make a closing statement.

6) After any closing statement, the hearing committee shall render a decision regarding the issues presented, in whole or in part, except that the matter may be taken under advisement to review pertinent evidence.

h) After the hearing, the hearing committee shall prepare a written report which shall include findings of fact, conclusions of law, recommendations of the hearing committee, and the order of the Secretary.

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1) The hearing officer shall, with the aid of the board members, prepare the findings of fact, conclusions of law, recommendations to the Secretary, and a proposed order of the Secretary, based upon the recommendations of the board members regarding the medical issues.

2) The Secretary will then enter an order following the recommendations of the hearing committee. This order will be a final, appealable administrative order within the meaning of the Administrative Review Law (735 ILCS 5/3-101 et seq.).

i) The Office shall send a copy of the written report to the Petitioner and any attorney of record.

(Source: added at 17 Ill. Reg. _____, effective _____)

Section 1001.540 Subsequent Hearings

If a petitioner is denied the relief requested at a formal medical hearing, another such hearing will not be granted unless the petitioner's case is again reviewed by the medical review panel after the submission of new evidence.

(Source: added at 17 Ill. Reg. _____, effective _____)

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1) Heading of Part: Morris Municipal Airport Hazard Zoning

2) Code Citation: 92 Ill. Adm. Code 67

3) Section Numbers:

67.10 67.90
67.20 67.100
67.30 67.110
67.40 67.120
67.50 67.130
67.60 67.140
67.70 67.Exhibit A
67.80

Proposed Action:

New Section
New Section
New Section
New Section
New Section
New Section
New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.17 [620 ILCS 25/17 (1992)]

5) A complete description of the subjects and issues involved: This Part provides for the establishment of an airport hazard area in the vicinity of the Morris Municipal Airport. This Part provides for the safety of aircraft and persons on the ground by governing surfaces and height limitations in respect to structures erected or altered in the vicinity of the airport.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rules do not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Roger Finnell
Illinois Department of Transportation
Division of Aeronautics
One Langhorne Bond Drive/Capital Airport
Springfield, Illinois 62707
(217) 785-1764

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis: Rules do not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

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TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER b: AERONAUTICSPART 67
MORRIS MUNICIPAL AIRPORT
HAZARD ZONING

Section

- 67.10 Introduction
- 67.20 Definitions
- 67.30 Surfaces and Height Limitations
- 67.40 Use Restrictions
- 67.50 Non-Conforming Uses
- 67.60 Permits
- 67.70 Non-Conforming Structures or Uses or Trees Abandoned or Destroyed
- 67.80 Variances
- 67.90 Notice of Construction or Alteration
- 67.100 Enforcement
- 67.110 Appeal and Judicial Review
- 67.120 Penalties
- 67.130 Conflicting Regulations
- 67.140 Severability
- 67-EXHIBIT A Proposed Construction Permit Request

AUTHORITY: Implementing and authorized by Section 17 of the Airport Zoning Act (Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.17) (620 ILCS 25/17 (1992)).

SOURCE: Adopted at 17 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 67.10 Introduction

- a) This Part regulates and restricts the height of structures and trees, and otherwise regulates the use of property in the vicinity of the Morris Municipal Airport by creating appropriate surfaces and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such surfaces, defining certain terms used herein; referring to the Morris Municipal Airport zoning map (Note: This zoning map can be viewed at the _____).

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Department of Transportation, Division of Aeronautics, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.; providing for enforcement; imposing penalties in the interest of public safety and welfare; and providing for notice of construction or alteration.

- b) This Part is adopted at the request of the City of Morris as owner and operator of Morris Municipal Airport, pursuant to the authority conferred by the Airport Zoning Act (Act) (Ill. Rev. Stat. 1991, ch. 15 1/2, pars. 48.1 et seq.) (620 ILCS 25/17 et seq. (1992)). IT IS HEREBY FOUND THAT AN AIRPORT HAZARD ENDANGERS THE LIVES AND PROPERTY OF USERS OF MORRIS MUNICIPAL AIRPORT AND OF OCCUPANTS OF LAND OR PROPERTY IN ITS VICINITY, AND ALSO, IF OF THE OBSTRUCTION TYPE, IN EFFECT REDUCES THE SIZE OF THE AREA AVAILABLE FOR THE LANDING, TAKING-OFF AND MANEUVERING OF AIRCRAFT, THUS TENDING TO DESTROY OR IMPAIR THE UTILITY OF MORRIS MUNICIPAL AIRPORT AND THE PUBLIC INVESTMENT THEREIN.

- 1) ACCORDINGLY, IT IS DECLARED:
 - A) THAT THE CREATION OR ESTABLISHMENT OF AN AIRPORT HAZARD IS A PUBLIC NUISANCE AND AN INJURY TO THE region SERVED BY MORRIS Municipal Airport;
 - B) THAT IT IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, PUBLIC SAFETY AND GENERAL WELFARE THAT THE CREATION OR ESTABLISHMENT OF AIRPORT HAZARDS BE PREVENTED; AND
 - C) that the prevention of these hazards SHOULD BE ACCOMPLISHED TO THE EXTENT LEGALLY POSSIBLE, BY THE EXERCISE OF THE POLICE POWER, WITHOUT COMPENSATION.
- 2) IT IS FURTHER DECLARED THAT BOTH THE PREVENTION OF THE CREATION OR ESTABLISHMENT OF AIRPORT HAZARDS AND THE ELIMINATION, REMOVAL, ALTERATION, MITIGATION, OR MARKING AND/OR LIGHTING OF EXISTING AIRPORT HAZARDS ARE PUBLIC PURPOSES FOR WHICH POLITICAL SUBDIVISIONS MAY RAISE AND EXPEND PUBLIC FUNDS AND ACQUIRE LAND or interests in land.

(Section 25/11 of the Act)

Section 67.20 Definitions

As used in this Part, the following terms have the meanings ascribed unless the context otherwise requires:

"Airport" - The Morris Municipal Airport located near _____.

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Morris, situated in Section 10, and part of the West Half of Section 15, Township 34 North, Range 7 East of the Third Principal Meridian, Grundy County, Illinois; also known as Morris Municipal Airport.

"Airport Elevation" - The established elevation of the highest point on the usable landing strip; the established airport elevation shall be 586 feet above mean sea level (AMSL).

"Airport Hazard" - ANY STRUCTURE, TREE, OR USE OF LAND WHICH OBSTRUCTS THE AIRSPACE REQUIRED FOR, OR IS OTHERWISE HAZARDOUS TO THE FLIGHT OF AIRCRAFT IN LANDING OR TAKING-OFF AT THE AIRPORT. (Section 25/3 of the Act)

"Airport Reference Point" - The point established as the approximate geographic center of the airport landing area and so designated as at Latitude 41° 25' 31.0" N and Longitude 88° 25' 07.2" W.

"Alteration" - Any construction which would result in a change in height or lateral dimensions of an existing structure.

"Approach, Transitional, Horizontal and Conical Surfaces" - These surfaces are defined in Section 67.30.

"Circling Approach Area" - That obstacle clearance area which shall be considered for aircraft maneuvering to land on a runway which is not aligned with the final approach course of the approach procedure.

"Construction" - The erection or alteration of any structure either of a permanent or temporary character.

"Department" - The Department of Transportation, Division of Aeronautics, of the State of Illinois.

"Departure Area" - That area which begins at the departure end of the runway and has a beginning width of 1000' (500' from centerline). The area splays 150' on each side of the extended runway centerline for a distance of 2 Nautical Miles (NM). Additionally, it

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includes a second surface that extends radially from a point on the runway centerline located 2,000' from the start end of the runway and extends the distance necessary to provide a 40:1 obstacle identification surface to reach the minimum altitudes authorized for en route operations.

"Final Approach Segment" - That area of an approach where the aircraft makes final alignment and descent for landing.

"Flight Safety Coordinator" - An employee of the Department whose duties include, but are not limited to, inspection of airports, review of complaints concerning uses of property in the vicinity of airports and inspection of structures, uses and trees in the vicinity of airports to determine if such structures, uses or trees impair the use of the airport by aircraft.

"Height" - The overall height of the top of a structure, including any appurtenances installed thereon, for the purpose of determining the height limits in all zones set forth in this Part and shown on the zoning map, the datum of which shall be mean sea level elevation unless otherwise specified.

"Initial Approach Segment" - That area of an instrument approach between a point where aircraft departs the en route phase of flight and is maneuvering to enter an intermediate segment. Such approach segments may be made along an arc, radial, course, heading, radar vector or a combination thereof.

"Intermediate Approach Segment" - That area of an approach between the initial and final approach segments where the aircraft adjusts configuration, speed and positioning along positive course guidance such as radial or course.

"Landing Area" - The area of the airport used for the landing, taking-off or taxiing of aircraft including the unprepared surfaces adjacent to the existing runways.

"Minimum Instrument Flight Altitude" - An altitude established for instrument flight between radio fixes that provides obstacle clearance over the terrain and

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man-made objects, and is adequate for navigational performance and communications requirements.

"Non-Conforming Use" - Any structure, tree, or use of land which is lawfully in existence at the time this Part or an amendment thereto becomes effective and does not then meet the requirements of this Part.

"Non-Precision Instrument Runway" - A runway having an existing instrument approach utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in, non-precision instrument approach procedure has been approved by the Federal Aviation Administration [FAA], or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military airport planning document.

"Obstacle Clearance" - The vertical distance between the lowest authorized flight altitudes and a prescribed surface within a specified area.

"Permit" - A permit issued by the Department of Transportation, Division of Aeronautics, pursuant to Section 67.60 of this Part.

"Person" - An INDIVIDUAL, FIRM, partnership, CORPORATION, COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR BODY POLITIC, and includes a TRUSTEE, RECEIVER, ASSIGNEE, administrator, executor, guardian, OR OTHER REPRESENTATIVE, AND INCLUDING THIS STATE and the Division of Aeronautics. (Section 25/7 of the Act)

"Political Subdivision" - ANY MUNICIPALITY, CITY, INCORPORATED TOWN, VILLAGE, COUNTY, TOWNSHIP, OR DISTRICT, OR AUTHORITY, OR ANY COMBINATION OF TWO OR MORE THEREOF, situated in whole or in part within any of the surfaces established by Section 67.30. (Section 25/6 of the Act)

"Precision Instrument Runway" - A precision instrument runway is one which provides both horizontal and vertical guidance. Guidance systems include, but are not limited to, instrument landing systems (ILS), precision approach radars (PAR), microwave landing systems (MLS) or global positioning satellites (GPS). A planned precision instrument runway is one for which

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a precision approach system is indicated on a Department approved Airport Layout Plan, which is on file at the Department of Transportation, Division of Aeronautics, Bureau of Engineering, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.

"Runway" - An area of the airport designated for the landing or taking off of aircraft and consisting of turf or concrete, asphalt, oil and chip or other composite material that forms an all weather surface other than turf.

"Slope Ratio" - A numerical expression of a stated relationship of height to horizontal distance, e.g. 100 to 1 means one hundred feet of horizontal distance for each one foot vertically.

"State" - THE STATE OF ILLINOIS. (Section 25/8 of the Act)

"Structure" - Any form of construction or apparatus of a permanent or temporary character, constructed or installed by man, including any implements or material used in the erection, alteration or repair of such structure, including but without limitation, buildings, towers, smokestacks, and overhead transmission lines.

"Terminal Obstacle Clearance Area" - That area near an airport that contains the initial, intermediate and final approach segments, circling and departure areas which are a part of an instrument approach procedure.

"Tree" - Any object of natural growth.

"Utility Runway" - A runway that is constructed for and intended to be used for propeller driven aircraft of 12,500 pounds maximum gross weight or less.

"Variance" - A grant of relief by the Department from the requirements of this Part, in accordance with Section 67.80.

"Visibility Minimums" - The lowest forward horizontal distance from the cockpit of an aircraft in flight at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.

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"Visual Runway" - A visual runway is a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on a Department approved Airport Layout Plan, which is on file at the Department of Transportation, Division of Aeronautics, Bureau of Engineering, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.

Section 67.30 Surfaces and Height Limitations

a) Establishment and Creation

1) The following airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach existing or planned for that runway end.

2) Such airport imaginary surfaces are hereby created and established in order to carry out the provisions of this Part. Such surfaces shall include all of the land lying within the horizontal surface, conical surface, primary surface, approach surface (to include non-precision instrument approach, precision instrument approach and visual approach), transitional surface and circling approach surface. These surfaces are shown on the Airport Zoning Map (Note: This zoning map can be viewed at the Department of Transportation, Division of Aeronautics, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.) for Morris Municipal Airport prepared by Chamlin & Associates, Inc., Peru, Ill. An area located in more than one of the following surfaces is considered to be only in the surface with the more restrictive height limitation.

3) Except as otherwise provided in this Part, no structure or tree shall be erected, altered, allowed to grow, or maintained in any surface created by this Part to a height in excess of the height limit herein established for such surfaces.

4) The various surfaces described in subsections (b)

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through (h) are hereby established, and height limitations are established in those subsections for each of the surfaces.

b) Horizontal Surface

1) A horizontal plane 150 feet above the established airport elevation of 586 feet Above Mean Sea Level (AMSL), the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:

A) 5,000 feet for all runways designated as utility or visual;

B) 10,000 feet for all other runways.

2) The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000 foot arc is encompassed by tangents connecting two adjacent 10,000 foot arcs, the 5,000 foot arc shall be disregarded on the construction of the perimeter of the horizontal surface. The horizontal surface does not include the approach and transitional surfaces.

c) Conical Surface

1) A surface extending outward and upward from the periphery of the horizontal surface, at 150 feet above the airport elevation, at a slope of 20 feet horizontally for each foot vertically for a horizontal distance of 4,000 feet.

2) The conical surface does not include the approach surfaces to the precision instrument runways and the transitional surfaces.

d) Primary Surface

1) A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of a primary surface is:

A) 250 feet for utility runways having only visual approaches;

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- B) 500 feet for utility runways having non-precision instrument approaches;
- C) For other than utility runways, the width is:
- i) 500 feet for visual runways having only visual approaches;
 - ii) 500 feet for non-precision instrument runways having visibility minimums greater than three-fourths statute mile;
 - iii) 1,000 feet for a non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile, and for precision instrument runways.
- 2) The width of the primary surface of a runway will be the width prescribed in this Section for the most precise approach existing or planned for either end of that runway.
- e) Approach Surface - A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.
- 1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:
 - A) 1,250 feet for that end of a utility runway with only visual approaches;
 - B) 1,500 feet for that end of a runway other than a utility runway with only visual approaches;
 - C) 2,000 feet for that end of a utility runway with a non-precision instrument approach;
 - D) 3,500 feet for that end of a non-precision instrument runway, other than utility, having visibility minimums greater than three-fourths statute mile;
 - E) 4,000 feet for that end of a non-precision instrument runway, other than utility, having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile; and
 - F) 16,000 feet for precision instrument runways.
 - 2) The approach surface extends for a horizontal distance of:
 - A) 5,000 feet at a slope of 20 feet horizontally

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- for each foot vertically for all utility and visual runways;
- B) 10,000 feet at a slope of 34 feet horizontally for each foot vertically for all non-precision instrument runways other than utility; and
 - C) 10,000 feet at a slope of 50 feet horizontally for each foot vertically with an additional 40,000 feet at a slope of 40 feet horizontally for each foot vertically for all precision instrument runways.
- 3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.
- f) Transitional Surface - These surfaces extend outward and upward at right (90°) angles to the runway centerline and the runway centerline extended at a slope of 7 feet horizontally for each foot vertically beginning at the sides of and at the same elevation of the primary surface and the approach surfaces extending to a height of 150 feet above the airport elevation which is 586 feet AMSL. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right (90°) angles to the runway centerline.
- g) Circling Approach Surface - This is a surface 200 feet above ground level (AGL) or above the established airport elevation, whichever is greater, within three (3) nautical miles of the established reference point of Morris Municipal Airport and this surface increases in height in the proportion of 100 feet for each additional nautical mile of distance from the airport reference point up to a maximum of 500 feet.
- h) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.
- i) Excepted Height Limitations - Nothing in this Part shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 50 feet above the ground.

Section 67.40 Use Restrictions

Notwithstanding any other provisions of this Part, no use may be made of land or water within any surface established by this Part as follows:

- a) Electrical or Electronic Interference
 - 1) In such a manner as to create electrical or electronic interference with navigational signals or radio or radar communication between the airport and aircraft.
 - 2) If a complaint of such interference is received by the Department, a Flight Safety Coordinator shall determine if a hazard exists by observing all relevant factors including the type of aircraft using the airport, the traffic patterns at the airport, the time of day and frequency of the interference.
- b) Flashing or Illuminated Structures
 - 1) The installation and use of flashing or illuminated advertising or business signs, billboards, or any other type of illuminated structure which would be hazardous for pilots.
 - 2) In determining whether such a hazard exists, a Flight Safety Coordinator shall consider factors which include, but are not limited to, assessing the difficulty pilots have in distinguishing between airport lights and others, or which result in glare in the eyes of pilots using the airport, thereby impairing visibility in the vicinity of the airport or endangering the landing, taking-off or maneuvering of aircraft, the proximity of the illuminated structure to the airport, and the traffic patterns at the airport.

c) Smoke

- 1) A use which would emit or discharge smoke that would interfere with the health and safety of pilots and the public in the use of the airport, or which would otherwise be detrimental or injurious to the health, safety and general welfare of the public in the use of the airport.
- 2) In determining if such an emission or discharge of smoke would interfere with the health and safety of pilots and the public, a Flight Safety Coordinator shall consider all relevant factors which include, but are not limited to, the density of the smoke, frequency of the emission or

Section 67.50 Non-Conforming Uses

discharge, source of the smoke, general weather patterns in the vicinity, time of day, and volume and type of aircraft which use the airport.

- a) Regulations Not Retroactive - Those surface regulations prescribed by this Part shall not be construed to require the removal, lowering or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this Part, or otherwise to interfere with the continuance of any non-conforming use. Nothing contained in this Part shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Part, and is diligently prosecuted.
- b) Marking and Lighting the provisions of subsection (a) of this Section, the owner of any existing non-conforming structure is required to permit the installation, operation and maintenance of such markers and lights as shall be deemed necessary by the Department to indicate to operators of aircraft in the vicinity of the airport the presence of such airport hazards, all to be performed at the expense of the City of Morris.
- 2) In determining the necessity for such markers and lights, the Department shall consider all relevant conditions, including but not limited to, the traffic patterns, volume and type of aircraft at the airport, the general weather patterns in the vicinity, the topography of the airport and the surrounding area, and the height of the structure and its proximity to the approach and transition slopes of the existing runways.

Section 67.60 Permits

- a) Future Uses - Except as specifically provided in subsections (a)(1), (2), and (3) of this Section, no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted, or otherwise established in any surface created unless

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a permit shall have been applied for and granted by the Department. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit to be determined whether the resulting use, structure or tree would conform to the regulations prescribed in this Part. If such determination is in the affirmative, the permit shall be granted.

1) In the area lying within the limits of the horizontal surface and the conical surface, but which is not in violation of height restrictions of primary, transitional and approach surfaces as set forth in this Part, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground or in any approach and transitional surfaces beyond a horizontal distance of 4,200 feet from each end of the runway, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such surface.

2) In the areas lying within the limits of visual, precision instrument and non-precision instrument approach surfaces, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such visual, precision instrument or non-precision instrument approach surfaces.

3) In the areas lying within the limits of the transitional surface beyond the perimeter of the horizontal surface, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground except when such tree or structure, because of terrain, land contour or topographic features, would extend above the height limit prescribed for such transitional surface.

b) Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height limits prescribed by this Part.

Section 67.70 Non-Conforming Structures or Uses or Trees Abandoned or Destroyed

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Whenever the Department, following a Flight Safety Coordinator's personal inspection, observation and estimation, DETERMINES THAT A NON-CONFORMING STRUCTURE or use OR TREE HAS BEEN ABANDONED OR MORE THAN 80 PER CENT demolished, DESTROYED, physically DETERIORATED, OR DECAYED:

a) NO PERMIT SHALL BE GRANTED by the Department THAT WOULD ALLOW SUCH STRUCTURE or use OR TREE TO EXCEED THE APPLICABLE HEIGHT LIMIT OR OTHERWISE DEVIATE FROM these ZONING REGULATIONS; AND

b) WHETHER APPLICATION IS MADE FOR A PERMIT, OR NOT, THE DEPARTMENT MAY issue an order pursuant to subsection (c) of this Section, in cases where the remaining structure or use OR TREE constitutes a violation of this Part, compelling THE OWNER OF THE NON - CONFORMING STRUCTURE or use OR TREE, AT HIS OWN EXPENSE, TO LOWER, REMOVE, RECONSTRUCT, OR EQUIP SUCH structure or use OR TREE AS MAY BE NECESSARY TO CONFORM TO these zoning REGULATIONS. IF THE OWNER OF THE NON-CONFORMING STRUCTURE or use OR TREE SHALL NEGLECT OR REFUSE TO COMPLY WITH SUCH ORDER within ten DAYS AFTER NOTICE THEREOF, THE DEPARTMENT MAY PROCEED TO HAVE such structure or use OR TREE SO LOWERED, REMOVED, RECONSTRUCTED OR EQUIPPED AND SHALL HAVE A LIEN, ON BEHALF OF THE STATE, UPON THE LAND WHEREON IT IS OR WAS LOCATED, IN THE AMOUNT OF THE COST AND EXPENSE THEREOF. SUCH LIEN MAY BE ENFORCED BY THE DEPARTMENT ON BEHALF OF THE STATE BY suit in equity FOR THE ENFORCEMENT THEREOF AS IN THE CASE OF OTHER LIENS. (Section 25/23 of the Act)

c) The Department shall issue an order if it is determined that the non-conforming structure or use or tree interferes with traffic patterns at the airport. In making such a determination the Department shall consider factors which include, but are not limited to, the type of aircraft using the airport, and whether or not the airport has precision instrument or instrument runways.

Section 67.80 Variances

a) General - ANY PERSON wishing to erect or increase the height of ANY STRUCTURE, OR PERMIT any GROWTH, OR USE HIS PROPERTY not in accordance with these ZONING REGULATIONS, MAY APPLY TO THE DEPARTMENT FOR A VARIANCE FROM these ZONING REGULATIONS. SUCH VARIANCES SHALL BE ALLOWED WHERE it is found that A LITERAL APPLICATION OR

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ENFORCEMENT OF these ZONING REGULATIONS WOULD RESULT IN PRACTICAL DIFFICULTY OR UNNECESSARY HARDSHIP AND THE RELIEF GRANTED WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST BUT WOULD DO SUBSTANTIAL JUSTICE AND BE IN ACCORDANCE WITH THE SPIRIT OF these ZONING REGULATIONS. (Section 25/24 of the Act)

- b) Marking and Lighting - Any Variance granted by the Department may be so conditioned as to require the owner of such structure or tree to permit, at the expense of the owner, the installation, operation and maintenance of such markers and lights as may be required to indicate to pilots the presence of such structure or tree.
- c) In making the determination to allow variances the Department will consider, but is not limited to considering, the proximity of the hazard to the normal flight path or traffic patterns at the airport, the proximity of other non-conforming uses, structures or trees which would impair the use of the airport, the height of the object, the volume of air traffic at the airport, the type of aircraft using the airport, the type of navigational aids used at the airport, the length and width of existing runways, and plans for future expansion of the airport.

Section 67.90 Notice of Construction or Alteration

- a) Construction or Alteration Requiring Notice - The Department shall be notified by each person (sponsor) who proposes any of the following construction or alterations with respect to the surfaces and height limitations established by Section 67.30 with respect to Morris Municipal Airport:

- 1) Any construction or alteration of more than 200 feet in height above the ground level at its site.
- 2) Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
 - A) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the airport, with at least one runway more than 3200 feet in actual length.
 - B) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of the airport, with the longest runway not more than 3200 feet in actual length.

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- 3) Any highway, railroad, or other traverse way for mobile objects, of a height which would exceed a standard of subsection (a)(1) or (a)(2) of this Section, if adjusted upward: 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance; 15 feet for any other public roadway; 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road; 23 feet for a railroad; and for a waterway or any other traverse way not previously mentioned, an amount equal to the highest mobile object that would normally traverse it.
- 4) Any construction or alteration that would exceed a standard of the Act or this Part.
- b) Construction or Alteration Not Requiring Notice - No person is required to notify the Department for any of the following construction or alterations with respect to Morris Municipal Airport:
 - 1) Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.
 - 2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device less than 50 feet in height.
 - 3) Any object that would be shielded by permanent and substantial existing structures of equal or greater height or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not obstruct or interfere with aircraft using the airport, or cause any additional adverse effect on airport operations by considering the height and location of the existing uses and structures.
- c) Form and Time of Notice
 - 1) Each person who is required to notify the Department under subsection (a) of this Section shall forward one executed form set (in four copies) of the Department's Form No. DA-39 (for an example, see Exhibit A of this Part) to the Division of Aeronautics, One Langhorne Bond

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Drive/Capital Airport, Springfield, Illinois 62707-8415. Copies of this form may be obtained from the Department.

2) Such notice must be submitted at least 30 days before the date the proposed construction or alteration is to begin.

3) In the case of an emergency involving essential public services, public health, or public safety, that requires immediate construction or alteration, the 30-day requirement in subsection (c)(2) of this Section does not apply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed Department Form No. DA-39 submitted within five days. For example, an emergency could include breaks in sewer lines, gas mains or power lines.

d) Acknowledgment of Notice

1) The Department will acknowledge in writing the receipt of such notice submitted under subsection (a) of this Section within 30 days after receipt of such notice.

2) The acknowledgment will state that a study of the proposed construction or alteration has resulted in a determination that the construction or alteration:

- A) would, under federal rules, require lighting or marking standards as prescribed in Advisory Circular, Federal Aviation Administration (FAA), Subject: Obstruction Marking and Lighting, AC No: 70/7460-1, as provided in 14 CFR 77.11 (b)(3), January 1, 1990, not including any later amendment or editions, and information on how the structure should be marked and lighted in accordance with such FAA standards; and/or
- B) would not exceed any standard of the Act or this Part; or
- C) would exceed a standard of the Act, Aviation Safety Rules (92 Ill. Adm. Code 14), or this Part; or
- D) would require supplemental information from the sponsor in order for a determination to be made by the Department.

Section 67.100 Enforcement

It shall be the duty of the Department to administer and enforce this Part. Applications for permits or variances, required by this Part, to be submitted to the Department, shall be on forms furnished by the Department and shall be promptly considered and granted or denied.

Section 67.110 Appeal and Judicial Review

- a) APPEAL - ANY PERSON AGGRIEVED BY ANY DECISION OF THE DEPARTMENT MADE IN ADMINISTRATION OF THIS PART MAY APPLY TO THE DEPARTMENT TO REVERSE, WHOLLY OR PARTLY, OR MODIFY, OR OTHERWISE CHANGE, ABROGATE OR RESCIND ANY SUCH DECISION. THE PROCEDURE PRESCRIBED BY THE ACT FOR PROCEEDINGS BEFORE BOARD OF APPEAL SHALL GOVERN SUCH APPLICATION TO THE DEPARTMENT. (Section 29 of the Act)
- b) Judicial Review - Any person aggrieved or any taxpayer affected by any decision of the Department may appeal to the Circuit Court of Grundy County, Illinois, or Circuit Court of any county in which the airport hazard is wholly or partly located, in accordance with the provisions the Administrative Review Law (Ill. Rev. Stat. 1991, ch. 110, pars. 3-101 et seq) (735 ILCS 5/3-101 et seq. (1992)).

Section 67.120 Penalties

Each violation of this Part or of ANY REGULATIONS, ORDERS, OR RULINGS PROMULGATED hereunder shall constitute an airport hazard and a PETTY OFFENSE, and such hazard shall be removed by proper legal proceedings and EACH DAY A VIOLATION CONTINUES TO EXIST SHALL CONSTITUTE A SEPARATE OFFENSE. IN ADDITION, THE DEPARTMENT MAY INSTITUTE IN THE Circuit Court of Grundy County, Illinois, or CIRCUIT COURT OF ANY COUNTY IN WHICH THE AIRPORT HAZARD is wholly or partly located, AN ACTION TO PREVENT AND RESTRAIN, CORRECT OR ABATE, ANY VIOLATION OF these ZONING REGULATIONS, OR OF ANY regulation, ORDER OR RULING MADE IN CONNECTION WITH THEIR ADMINISTRATION OR ENFORCEMENT, AND THE COURT SHALL ADJUDGE SUCH RELIEF BY WAY OF INJUNCTION (WHICH MAY BE MANDATORY) OR OTHERWISE, AS MAY BE PROPER UNDER ALL THE FACTS AND CIRCUMSTANCES OF THE CASE, IN ORDER FULLY TO EFFECTUATE THE PURPOSES OF these zoning REGULATIONS as ADOPTED AND ORDERS AND RULINGS MADE PURSUANT THERETO. (Section 25/34 of the Act)

Section 67.130 Conflicting Regulations

Where a conflict exists between this Part and any other regulations or ordinances applicable to the same area, whether the conflict be with respect to the height of structures or

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trees, the use of land, or any other matter, the more stringent regulation or ordinance shall govern and prevail.

Section 67.140 Severability

If any of the provisions of this Part or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Part which can be given effect without the invalid provision or application, and to this end, the provisions of this Part are declared to be severable.

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Section 67. Exhibit A Proposed Construction Permit Request

ILLINOIS DEPARTMENT OF TRANSPORTATION
Division of Aeronautics

Name of Individual or Company

Making Request Address	Street	City	Zip	Phone
Nature and Description of Proposed Structure:				
>	>			
> New Construction	>			
> Alteration	>			
Nearest Town:				
Location from Nearest Town				
Direction	Distance			
Nearest Airport:				
From Nearest Point to a Runway				
Direction	Distance			
Latitude	Longitude			
0	'	"	'	"
Proposed Heights and Elevations				
Site Elevation (Mean Sea Level)	Feet			
Highest Point of Structure Above Ground	Feet			
Overall Height above Mean Sea Level	Feet			
Estimated Construction Starting Date				
Estimated Construction Completion Date				
Type of Structure:	Permanent	Temporary		
Will Structure be Obstruction Lighted:	Yes	No		
Will Structure be Obstruction Marked:	Yes	No		
Remarks:				

Date: _____ Title or Position: _____ Signature _____

The Illinois Department of Transportation is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under Section 1 of the Airport Zoning Act (Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.1)(620 ILCS 25/17 (1992)). Disclosure of this information is REQUIRED. Failure to provide any information will result in denial of the construction permit. This form has been approved by the Forms Management Center.

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1) Heading of Part: Scott Joint-Use Airport Hazard Zoning

2) Code Citation: 92 Ill. Adm. Code 77

3) Section Numbers:

- 77.10
- 77.20
- 77.30
- 77.40
- 77.50
- 77.60
- 77.70
- 77.80
- 77.90
- 77.100
- 77.110
- 77.120
- 77.130
- 77.140
- 77-EXHIBIT A

Proposed Action:

- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Section
- New Exhibit

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.17 (620 ILCS 25/17 (1992))

5) A complete description of the subjects and issues involved: This Part provides for the establishment of an airport hazard area in the vicinity of the Scott Joint-Use Airport. This Part provides for the safety of aircraft and persons on the ground by governing surfaces and height limitations in respect to structures erected or altered in the vicinity of the airport.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rules do not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

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Mr. Roger Finnell
Illinois Department of Transportation
Division of Aeronautics
One Langhorne Bond Drive/Capitol Airport
Springfield, Illinois 62707-8415
(217) 785-1764

Comments received within thirty days of the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis: Rules do not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

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TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER b: AERONAUTICS

PART 77

SCOTT JOINT-USE AIRPORT
HAZARD ZONING

Section

- 77.10 Introduction
- 77.20 Definitions
- 77.30 Surfaces and Height Limitations
- 77.40 Use Restrictions
- 77.50 Non-Conforming Uses
- 77.60 Permits
- 77.70 Non-Conforming Structures or Uses or Trees Abandoned or Destroyed
- 77.80 Variances
- 77.90 Notice of Construction or Alteration
- 77.100 Enforcement
- 77.110 Appeal and Judicial Review
- 77.120 Penalties
- 77.130 Conflicting Regulations
- 77.140 Severability
- 77.EXHIBIT A Proposed Construction Permit Request

AUTHORITY: Implementing and authorized by Section 17 of the Airport Zoning Act (Ill. Rev. Stat. 1991, ch. 15 1/2, par. 48.17) (620 ILCS 25/17 (1992)).

SOURCE: Adopted at 17 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 77.10 Introduction

- a) This Part regulates and restricts the height of structures and trees, and otherwise regulates the use of property in the vicinity of the Scott Joint-Use Airport by creating appropriate surfaces and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such surfaces, defining certain terms used herein; referring to the Scott Joint-Use Airport zoning map (Note: This zoning map can be viewed at the

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Department of Transportation, Division of Aeronautics, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.); providing for enforcement; imposing penalties in the interest of public safety and welfare; and providing for notice of construction or alteration.

- b) This Part is adopted at the request of the County of St. Clair and the United States Air Force, as owner and operator of Scott Joint-Use Airport, pursuant to the authority conferred by the Airport Zoning Act (Act) (Ill. Rev. Stat. 1991, ch. 15 1/2, pars. 48.1 et seq.) (620 ILCS 25/17 et seq. (1992)). IT IS HEREBY FOUND THAT AN AIRPORT HAZARD ENDANGERS THE LIVES AND PROPERTY OF USERS OF Scott Joint-Use Airport AND OF OCCUPANTS OF LAND or property IN ITS VICINITY, AND ALSO, IF OF THE OBSTRUCTION TYPE, IN EFFECT REDUCES THE SIZE OF THE AREA AVAILABLE FOR THE LANDING. TAKING-OFF AND MANEUVERING OF AIRCRAFT, THUS TENDING TO DESTROY OR IMPAIR THE UTILITY OF Scott Joint-Use Airport AND THE PUBLIC INVESTMENT THEREIN.

1) ACCORDINGLY, IT IS DECLARED:

- A) THAT THE CREATION OR ESTABLISHMENT OF AN AIRPORT HAZARD IS A PUBLIC NUISANCE AND AN INJURY TO THE region SERVED BY Scott Joint-Use Airport;
- B) THAT IT IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, PUBLIC SAFETY AND GENERAL WELFARE THAT THE CREATION OR ESTABLISHMENT OF AIRPORT HAZARDS BE PREVENTED; AND
- C) that the prevention of these hazards SHOULD BE ACCOMPLISHED TO THE EXTENT LEGALLY POSSIBLE, BY THE EXERCISE OF THE POLICE POWER, WITHOUT COMPENSATION.
- 2) IT IS FURTHER DECLARED THAT BOTH THE PREVENTION OF THE CREATION OR ESTABLISHMENT OF AIRPORT HAZARDS AND THE ELIMINATION, REMOVAL, ALTERATION, MITIGATION, OR MARKING AND/OR LIGHTING OF EXISTING AIRPORT HAZARDS ARE PUBLIC PURPOSES FOR WHICH POLITICAL SUBDIVISIONS MAY RAISE AND EXPEND PUBLIC FUNDS AND ACQUIRE LAND or interests in land. (Section 25/11 of the Act)

Section 77.20 Definitions

As used in this Part, the following terms have the meanings ascribed unless the context otherwise requires:

"Airport" - The Scott Joint-Use Airport located near

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Belleville, situated in Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, Shiloh Valley Township 1 North, Range 7 West of the 3rd Principal Meridian and Sections 7, 8, 17, 18, Mascoutah Township, Township 1 North, Range 6 West of the 3rd Principal Meridian, St. Clair County, Illinois; also known as Scott Joint-Use Airport.

"Airport Elevation" - The established elevation of the highest point on the usable landing strip; the established airport elevation shall be 455.3 feet above mean sea level (AMSL).

"Airport Hazard" - ANY STRUCTURE, TREE, OR USE OF LAND WHICH OBSTRUCTS THE AIRSPACE REQUIRED FOR, OR IS OTHERWISE HAZARDOUS TO THE FLIGHT OF AIRCRAFT IN LANDING OR TAKING-OFF AT THE AIRPORT. (Section 25/3 of the Act)

"Airport Reference Point" - The point established as the approximate geographic center of the airport landing area and so designated as at Latitude 38° 32' 42.5" N and Longitude 89° 50' 10.2" W.

"Alteration" - Any construction which would result in a change in height or lateral dimensions of an existing structure.

"Approach, Transitional, Horizontal and Conical Surfaces" - These surfaces are defined in Section 77.30.

"Circling Approach Area" - That obstacle clearance area which shall be considered for aircraft maneuvering to land on a runway which is not aligned with the final approach course of the approach procedure.

"Construction" - The erection or alteration of any structure either of a permanent or temporary character.

"Department" - The Department of Transportation, Division of Aeronautics, of the State of Illinois.

"Departure Area" - That area which begins at the departure end of the runway and has a beginning width of 1000' (500' from centerline). The area splays 150 on each side of the extended runway centerline for a distance of 2 Nautical Miles (NM). Additionally, it

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includes a second surface that extends radially from a point on the runway centerline located 2,000' from the start end of the runway and extends the distance necessary to provide a 40:1 obstacle identification surface to reach the minimum altitudes authorized for en route operations.

"Final Approach Segment" - That area of an approach where the aircraft makes final alignment and descent for landing.

"Flight Safety Coordinator" - An employee of the Department whose duties include, but are not limited to, inspection of airports, review of complaints concerning uses of property in the vicinity of airports and inspection of structures, uses and trees in the vicinity of airports to determine if such structures, uses or trees impair the use of the airport by aircraft.

"Height" - The overall height of the top of a structure, including any appurtenances installed thereon, for the purpose of determining the height limits in all zones set forth in this Part and shown on the zoning map, the datum of which shall be mean sea level elevation unless otherwise specified.

"Initial Approach Segment" - That area of an instrument approach between a point where aircraft departs the en route phase of flight and is maneuvering to enter an intermediate segment. Such approach segments may be made along an arc, radial, course, heading, radar vector or a combination thereof.

"Intermediate Approach Segment" - That area of an approach between the initial and final approach segments where the aircraft adjusts configuration, speed and positioning along positive course guidance such as radial or course.

"Landing Area" - The area of the airport used for the landing, taking-off or taxiing of aircraft including the unprepared surfaces adjacent to the existing runways.

"Minimum Instrument Flight Altitude" - An altitude established for instrument flight between radio fixes that provides obstacle clearance over the terrain and

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man-made objects, and is adequate for navigational performance and communications requirements.

"Non-Conforming Use" - Any structure, tree, or use of land which is lawfully in existence at the time this Part or an amendment thereto becomes effective and does not then meet the requirements of this Part.

"Non-Precision Instrument Runway" - A runway having an existing instrument approach utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in, non-precision instrument approach procedure has been approved by the Federal Aviation Administration [FAA], or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military airport planning document.

"Obstacle Clearance" - The vertical distance between the lowest authorized flight altitudes and a prescribed surface within a specified area.

"Permit" - A permit issued by the Department of Transportation, Division of Aeronautics, pursuant to Section 77.60 of this Part.

"Person" - An INDIVIDUAL, FIRM, partnership, CORPORATION, COMPANY, ASSOCIATION, JOINT STOCK ASSOCIATION, OR BODY POLITIC, and includes a TRUSTEE, RECEIVER, ASSIGNEE, administrator, executor, guardian, OR OTHER REPRESENTATIVE, AND INCLUDING THIS STATE and the Division of Aeronautics. (Section 25/7 of the Act)

"Political Subdivision" - ANY MUNICIPALITY, CITY, INCORPORATED TOWN, VILLAGE, COUNTY, TOWNSHIP, OR DISTRICT, OR AUTHORITY, OR ANY COMBINATION OF TWO OR MORE THEREOF, situated in whole or in part within any of the surfaces established by Section 77.30. (Section 25/6 of the Act)

"Precision Instrument Runway" - A precision instrument runway is one which provides both horizontal and vertical guidance. Guidance systems include, but are not limited to, instrument landing systems (ILS), precision approach radars (PAR), microwave landing systems (MLS) or global positioning satellites (GPS). A planned precision instrument runway is one for which

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a precision approach system is indicated on a Department approved Airport Layout Plan, which is on file at the Department of Transportation, Division of Aeronautics, Bureau of Engineering, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.

"Runway" - An area of the airport designated for the landing or taking off of aircraft and consisting of turf or concrete, asphalt, oil and chip or other composite material that forms an all weather surface other than turf.

"Slope Ratio" - A numerical expression of a stated relationship of height to horizontal distance, e.g. 100 to 1 means one hundred feet of horizontal distance for each one foot vertically.

"State" - THE STATE OF ILLINOIS. (Section 25/8 of the Act)

"Structure" - Any form of construction or apparatus of a permanent or temporary character, constructed or installed by man, including any implements or material used in the erection, alteration or repair of such structure, including but without limitation, buildings, towers, smokestacks, and overhead transmission lines.

"Terminal Obstacle Clearance Area" - That area near an airport that contains the initial, intermediate and final approach segments, circling and departure areas which are a part of an instrument approach procedure.

"Tree" - Any object of natural growth.

"Utility Runway" - A runway that is constructed for and intended to be used for propeller driven aircraft of 12,500 pounds maximum gross weight or less.

"Variance" - A grant of relief by the Department from the requirements of this Part, in accordance with Section 77.80.

"Visibility Minimums" - The lowest forward horizontal distance from the cockpit of an aircraft in flight at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.

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"Visual Runway" - A visual runway is a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on a Department approved Airport Layout Plan, which is on file at the Department of Transportation, Division of Aeronautics, Bureau of Engineering, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.

Section 77.30 Surfaces and Height Limitations

- a) Establishment and Creation
 - 1) The following airport imaginary surfaces are established with relation to the airport and to each runway. The size of each such imaginary surface is based on the category of each runway according to the type of approach available or planned for that runway. The slope and dimensions of the approach surface applied to each end of a runway are determined by the most precise approach existing or planned for that runway end.
 - 2) Such airport imaginary surfaces are hereby created and established in order to carry out the provisions of this Part. Such surfaces shall include all of the land lying within the horizontal surface, conical surface, primary surface, approach surface (to include non-precision instrument approach, precision instrument approach and visual approach), transitional surface and circling approach surface. These surfaces are shown on the Airport Zoning Map (Note: This zoning map can be viewed at the Department of Transportation, Division of Aeronautics, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62707-8415.) for Scott Joint-Use Airport prepared by TAMS/Sverdrup, Belleville, Ill. An area located in more than one of the following surfaces is considered to be only in the surface with the more restrictive height limitation.
 - 3) Except as otherwise provided in this Part, no structure or tree shall be erected, altered, allowed to grow, or maintained in any surface created by this Part to a height in excess of the height limit herein established for such surfaces.
 - 4) The various surfaces described in subsections (b)

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through (h) are hereby established, and height limitations are established in those subsections for each of the surfaces.

- b) Horizontal Surface
 - 1) A horizontal plane 150 feet above the established airport elevation of 455.3 feet Above Mean Sea Level (AMSL), the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is:
 - A) 5,000 feet for all runways designated as utility or visual;
 - B) 10,000 feet for all other runways.
 - 2) The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest determined for either end of the runway. When a 5,000 foot arc is encompassed by tangents connecting two adjacent 10,000 foot arcs, the 5,000 foot arc shall be disregarded on the construction of the perimeter of the horizontal surface. The horizontal surface does not include the approach and transitional surfaces.
- c) Conical Surface
 - 1) A surface extending outward and upward from the periphery of the horizontal surface, at 150 feet above the airport elevation, at a slope of 20 feet horizontally for each foot vertically for a horizontal distance of 4,000 feet.
 - 2) The conical surface does not include the approach surfaces to the precision instrument runways and the transitional surfaces.
- d) Primary Surface
 - 1) A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of a primary surface is:
 - A) 250 feet for utility runways having only visual approaches;

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- B) 500 feet for utility runways having non-precision instrument approaches;
- C) For other than utility runways, the width is:
- i) 500 feet for visual runways having only visual approaches;
 - ii) 500 feet for non-precision instrument runways having visibility minimums greater than three-fourths statute mile;
 - iii) 1,000 feet for a non-precision instrument runway having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile, and for precision instrument runways.

2) The width of the primary surface of a runway will be the width prescribed in this Section for the most precise approach existing or planned for the either end of that runway.

e) Approach Surface - A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of:

- A) 1,250 feet for that end of a utility runway with only visual approaches;
 - B) 1,500 feet for that end of a runway other than a utility runway with only visual approaches;
 - C) 2,000 feet for that end of a utility runway with a non-precision instrument approach;
 - D) 3,500 feet for that end of a non-precision instrument runway, other than utility, having visibility minimums greater than three-fourths statute mile;
 - E) 4,000 feet for that end of a non-precision instrument runway, other than utility, having a non-precision instrument approach with visibility minimums as low as three-fourths statute mile; and
 - F) 16,000 feet for precision instrument runways.
- 2) The approach surface extends for a horizontal distance of:
- A) 5,000 feet at a slope of 20 feet horizontally

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- for each foot vertically for all utility and visual runways;
- B) 10,000 feet at a slope of 34 feet horizontally for each foot vertically for all non-precision instrument runways other than utility; and
 - C) 10,000 feet at a slope of 50 feet horizontally for each foot vertically with an additional 40,000 feet at a slope of 40 feet horizontally for each foot vertically for all precision instrument runways.

3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

f) Transitional Surface - These surfaces extend outward and upward at right (90°) angles to the runway centerline and the runway centerline extended at a slope of 7 feet horizontally for each foot vertically beginning at the sides of and at the same elevation of the primary surface and the approach surfaces extending to a height of 150 feet above the airport elevation which is 455.3 feet AMSL. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at right (90°) angles to the runway centerline.

g) Circling Approach Surface - This is a surface 200 feet above ground level (AGL) or above the established airport elevation, whichever is greater, within three (3) nautical miles of the established reference point of Scott Joint-Use Airport and this surface increases in height in the proportion of 100 feet for each additional nautical mile of distance from the airport reference point up to a maximum of 500 feet.

h) A height within a terminal obstacle clearance area, including an initial approach segment, a departure area, and a circling approach area, which would result in the vertical distance between any point on the object and an established minimum instrument flight altitude within that area or segment to be less than the required obstacle clearance.

i) Excepted Height Limitations - Nothing in this Part shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height up to 50 feet above the ground.

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Section 77.40 Use Restrictions

Notwithstanding any other provisions of this Part, no use may be made of land or water within any surface established by this Part as follows:

- a) Electrical or Electronic Interference
 - 1) In such a manner as to create electrical or electronic interference with navigational signals or radio or radar communication between the airport and aircraft.
 - 2) If a complaint of such interference is received by the Department, a Flight Safety Coordinator shall determine if a hazard exists by observing all relevant factors including the type of aircraft using the airport, the traffic patterns at the airport, the time of day and frequency of the interference.
- b) Flashing or Illuminated Structures
 - 1) The installation and use of flashing or illuminated advertising or business signs, billboards, or any other type of illuminated structure which would be hazardous for pilots.
 - 2) In determining whether such a hazard exists, a Flight Safety Coordinator shall consider factors which include, but are not limited to, assessing the difficulty pilots have in distinguishing between airport lights and others, or which result in glare in the eyes of pilots using the airport, thereby impairing visibility in the vicinity of the airport or endangering the landing, taking-off or maneuvering of aircraft, the proximity of the illuminated structure to the airport, and the traffic patterns at the airport.
- c) Smoke
 - 1) A use which would emit or discharge smoke that would interfere with the health and safety of pilots and the public in the use of the airport, or which would otherwise be detrimental or injurious to the health, safety and general welfare of the public in the use of the airport.
 - 2) In determining if such an emission or discharge of smoke would interfere with the health and safety of pilots and the public, a Flight Safety Coordinator shall consider all relevant factors which include, but are not limited to, the density of the smoke, frequency of the emission or

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Section 77.50 Non-Conforming Uses

discharge, source of the smoke, general weather patterns in the vicinity, time of day, and volume and type of aircraft which use the airport.

- a) Regulations Not Retroactive - Those surface regulations prescribed by this Part shall not be construed to require the removal, lowering or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of this Part, or otherwise to interfere with the continuance of any non-conforming use. Nothing contained in this Part shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Part, and is diligently prosecuted.
- b) Marking and Lighting
 - 1) Notwithstanding the provisions of subsection (a) of this Section, the owner of any existing non-conforming structure is required to permit the installation, operation and maintenance of such markers and lights as shall be deemed necessary by the Department to indicate to operators of aircraft in the vicinity of the airport the presence of such airport hazards, all to be performed at the expense of the County of St. Clair and the United States Air Force.
 - 2) In determining the necessity for such markers and lights, the Department shall consider all relevant conditions, including but not limited to, the traffic patterns, volume and type of aircraft at the airport, the general weather patterns in the vicinity, the topography of the airport and the surrounding area, and the height of the structure and its proximity to the approach and transition slopes of the existing runways.

Section 77.60 Permits

- a) Future Uses - Except as specifically provided in subsections (a)(1), (2), and (3) of this Section, no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted, or otherwise established in any surface created unless

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a permit shall have been applied for and granted by the Department. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit to be determined whether the resulting use, structure or tree would conform to the regulations prescribed in this Part. If such determination is in the affirmative, the permit shall be granted.

1) In the area lying within the limits of the horizontal surface and the conical surface, but which is not in violation of height restrictions of primary, transitional and approach surfaces as set forth in this Part, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground or in any approach and transitional surfaces beyond a horizontal distance of 4,200 feet from each end of the runway, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such surface.

2) In the areas lying within the limits of visual, precision instrument and non-precision instrument approach surfaces, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such visual, precision instrument or non-precision instrument approach surfaces.

3) In the areas lying within the limits of the transitional surface beyond the perimeter of the horizontal surface, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground except when such tree or structure, because of terrain, land contour or topographic features, would extend above the height limit prescribed for such transitional surface.

b) Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of any of the height limits prescribed by this Part.

Section 77.70 Non-Conforming Structures or Uses or Trees
Abandoned or Destroyed

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Whenever the Department, following a Flight Safety Coordinator's personal inspection, observation and estimation, DETERMINES THAT A NON-CONFORMING STRUCTURE or use OR TREE HAS BEEN ABANDONED OR MORE THAN 80 PER CENT demolished, DESTROYED, physically DETERIORATED, OR DECAYED:

- a) NO PERMIT SHALL BE GRANTED by the Department THAT WOULD ALLOW SUCH STRUCTURE or use OR TREE TO EXCEED THE APPLICABLE HEIGHT LIMIT OR OTHERWISE DEVIATE FROM these ZONING REGULATIONS; AND
- b) WHETHER APPLICATION IS MADE FOR A PERMIT, OR NOT, THE DEPARTMENT MAY issue an order pursuant to subsection (c) of this Section, in cases where the remaining structure or use OR TREE constitutes a violation of this Part, compelling THE OWNER OF THE NON - CONFORMING STRUCTURE or use OR TREE, AT HIS OWN EXPENSE, TO LOWER, REMOVE, RECONSTRUCT, OR EQUIP SUCH structure or use OR TREE AS MAY BE NECESSARY TO CONFORM TO these zoning REGULATIONS. IF THE OWNER OF THE NON-CONFORMING STRUCTURE or use OR TREE SHALL NEGLECT OR REFUSE TO COMPLY WITH SUCH ORDER within ten DAYS AFTER NOTICE THEREOF, THE DEPARTMENT MAY PROCEED TO HAVE such structure or use OR TREE SO LOWERED, REMOVED, RECONSTRUCTED OR EQUIPPED AND SHALL HAVE A LIEN, ON BEHALF OF THE STATE, UPON THE LAND WHEREON IT IS OR WAS LOCATED, IN THE AMOUNT OF THE COST AND EXPENSE THEREOF. SUCH LIEN MAY BE ENFORCED BY THE DEPARTMENT ON BEHALF OF THE STATE BY suit in equity FOR THE ENFORCEMENT THEREOF AS IN THE CASE OF OTHER LIENS. (Section 25/23 of the Act)

c) The Department shall issue an order if it is determined that the non-conforming structure or use or tree interferes with traffic patterns at the airport. In making such a determination the Department shall consider factors which include, but are not limited to, the type of aircraft using the airport, and whether or not the airport has precision instrument or instrument runways.

Section 77.80 Variances

- a) General - ANY PERSON wishing to erect or increase the height of ANY STRUCTURE, OR PERMIT any GROWTH, OR USE HIS PROPERTY not in accordance with these ZONING REGULATIONS, MAY APPLY TO THE DEPARTMENT FOR A VARIANCE FROM these ZONING REGULATIONS. SUCH VARIANCES SHALL BE ALLOWED WHERE it is found that A LITERAL APPLICATION OR

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ENFORCEMENT OF these ZONING REGULATIONS WOULD RESULT IN PRACTICAL DIFFICULTY OR UNNECESSARY HARDSHIP AND THE RELIEF GRANTED WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST BUT WOULD DO SUBSTANTIAL JUSTICE AND BE IN ACCORDANCE WITH THE SPIRIT OF these ZONING REGULATIONS. (Section 25/24 of the Act)

b) Marking and Lighting - Any Variance granted by the Department may be so conditioned as to require the owner of such structure or tree to permit, at the expense of the owner, the installation, operation and maintenance of such markers and lights as may be required to indicate to pilots the presence of such structure or tree.

c) In making the determination to allow variances the Department will consider, but is not limited to considering, the proximity of the hazard to the normal flight path or traffic patterns at the airport, the proximity of other non-conforming uses, structures or trees which would impair the use of the airport, the height of the object, the volume of air traffic at the airport, the type of aircraft using the airport, the type of navigational aids used at the airport, the length and width of existing runways, and plans for future expansion of the airport.

Section 77.90 Notice of Construction or Alteration

a) Construction or Alteration Requiring Notice - The Department shall be notified by each person (sponsor) who proposes any of the following construction or alterations with respect to the surfaces and height limitations established by Section 77.30 with respect to Scott Joint-Use Airport:

- 1) Any construction or alteration of more than 200 feet in height above the ground level at its site.
- 2) Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes:
 - A) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the airport, with at least one runway more than 3200 feet in actual length.
 - B) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of the airport, with the longest runway not more than 3200 feet in actual length.

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3) Any highway, railroad, or other traverse way for mobile objects, of a height which would exceed a standard of subsection (a)(1) or (a)(2) of this Section, if adjusted upward: 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance; 15 feet for any other public roadway; 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road; 23 feet for a railroad; and for a waterway or any other traverse way not previously mentioned, an amount equal to the highest mobile object that would normally traverse it.

4) Any construction or alteration that would exceed a standard of the Act or this Part.

b) Construction or Alteration Not Requiring Notice - No person is required to notify the Department for any of the following construction or alterations with respect to Scott Joint-Use Airport:

- 1) Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.
- 2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device less than 50 feet in height.
- 3) Any object that would be shielded by permanent and substantial existing structures of equal or greater height or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not obstruct or interfere with aircraft using the airport, or cause any additional adverse effect on airport operations by considering the height and location of the existing uses and structures.

c) Form and Time of Notice

- 1) Each person who is required to notify the Department under subsection (a) of this Section shall forward one executed form set (in four copies) of the Department's Form No. DA-39 (for an example, see Exhibit A of this Part) to the Division of Aeronautics, One Langhorne Bond

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Drive/Capital Airport, Springfield, Illinois 62707-8415. Copies of this form may be obtained from the Department.

- 2) Such notice must be submitted at least 30 days before the date the proposed construction or alteration is to begin.
- 3) In the case of an emergency involving essential public services, public health, or public safety, that requires immediate construction or alteration, the 30-day requirement in subsection (c)(2) of this Section does not apply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed Department Form No. DA-39 submitted within five days. For example, an emergency could include breaks in sewer lines, gas mains or power lines.

d) Acknowledgment of Notice

- 1) The Department will acknowledge in writing the receipt of such notice submitted under subsection (a) of this Section within 30 days after receipt of such notice.

- 2) The acknowledgment will state that a study of the proposed construction or alteration has resulted in a determination that the construction or alteration:

- A) Would, under federal rules, require lighting or marking standards as prescribed in Advisory Circular, Department of Transportation, Federal Aviation Administration, (FAA), Subject: Obstruction, Marking and Lighting, AC No: 70/7460-1, as provided in 14 CFR 77.11 (b)(3), January 1, 1990, not including any later amendment or editions, and information on how the structure should be marked and lighted in accordance with such FAA standards; and/or
- B) Would not exceed any standard of the Act or this Part; or
- C) Would exceed a standard of the Act, Aviation Safety Rules (92 Ill. Adm. Code 14), or this Part; or
- D) Would require supplemental information from the sponsor in order for a determination to be made by the Department.

Section 77.100 Enforcement

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It shall be the duty of the Department to administer and enforce this Part. Applications for permits or variances, required by this Part to be submitted to the Department, shall be on forms furnished by the Department and shall be promptly considered and granted or denied.

Section 77.110 Appeal and Judicial Review

- a) APPEAL - ANY PERSON AGGRIEVED BY ANY DECISION OF THE DEPARTMENT MADE IN ADMINISTRATION OF THIS PART MAY APPLY TO THE DEPARTMENT TO REVERSE, WHOLLY OR PARTLY, OR MODIFY, OR OTHERWISE CHANGE, ABROGATE OR RESCIND ANY SUCH DECISION. THE PROCEDURE PRESCRIBED BY THE ACT FOR PROCEEDINGS BEFORE BOARD OF APPEAL SHALL GOVERN SUCH APPLICATION TO THE DEPARTMENT. (Section 29 of the Act)
- b) Judicial Review - Any person aggrieved or any taxpayer affected by any decision of the Department may appeal to the Circuit Court of St. Clair County, Illinois, or Circuit Court of any county in which the airport hazard is wholly or partly located, in accordance with the provisions the Administrative Review Law (Ill. Rev. Stat. 1991, ch. 110, pars. 3-101 et seq) (735 ILCS 5/3-101 et seq. (1992)).

Section 77.120 Penalties

Each violation of this Part or of ANY REGULATIONS, ORDERS, OR RULINGS PROMULGATED hereunder shall constitute an airport hazard and a PETTY OFFENSE, and such hazard shall be removed by proper legal proceedings and EACH DAY A VIOLATION CONTINUES TO EXIST SHALL CONSTITUTE A SEPARATE OFFENSE. IN ADDITION, THE DEPARTMENT MAY INSTITUTE IN THE Circuit Court of St. Clair County, Illinois, or CIRCUIT COURT OF ANY COUNTY IN WHICH THE AIRPORT HAZARD is wholly or partly located, AN ACTION TO PREVENT AND RESTRAIN, CORRECT OR ABATE, ANY VIOLATION OF these ZONING REGULATIONS, OR OF ANY regulation, ORDER OR RULING MADE IN CONNECTION WITH THEIR ADMINISTRATION OR ENFORCEMENT, AND THE COURT SHALL ADJUDGE SUCH RELIEF BY WAY OF INJUNCTION (WHICH MAY BE MANDATORY) OR OTHERWISE, AS MAY BE PROPER UNDER ALL THE FACTS AND CIRCUMSTANCES OF THE CASE, IN ORDER FULLY TO EFFECTUATE THE PURPOSES OF these zoning REGULATIONS as ADOPTED AND ORDERS AND RULINGS MADE PURSUANT THERETO. (Section 25/34 of the Act)

Section 77.130 Conflicting Regulations

Where a conflict exists between this Part and any other regulations or ordinances applicable to the same area, whether the conflict be with respect to the height of structures or

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- 1) The Heading of the Part: Americans With Disabilities Act
Grievance Procedure
- 2) Code Citation: 4 Ill. Adm. Code 125
- 3) Section Numbers: Adopted Action:
- | | |
|------------|-------------|
| 125.10 | New Section |
| 125.20 | New Section |
| 125.30 | New Section |
| 125.40 | New Section |
| 125.50 | New Section |
| 125.60 | New Section |
| 125.70 | New Section |
| 125.80 | New Section |
| Appendix A | |
- 4) Statutory Authority: 15 ILCS 205/4, 5 ILCS 100/5-10 and 5-35 (Ill. Rev. Stat. 1991, ch. 14, par. 4; Ill. Rev. Stat. 1991, ch. 127, pars. 1005-10 and 1005-35); 28 CFR 35.107
- 5) Effective Date of Rule(s) (Amendments, Repealer):
February 8, 1993
- 6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 8, 1993
- 9) Notice(s) of Proposal Published In Illinois Register:
February 14, 1992, 16 Ill. Reg. 2283
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: Non-substantive grammatical or typographical changes were made
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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- 13) Will this rule (amendments, repealer) replace an emergency rule (amendment repealer) currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule:
Rules promulgated by the United States Attorney General pursuant to section 204 of the Americans With Disabilities Act of 1990 (42 U.S.C. Section 12134) require that a State agency employing 50 or more persons adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging that the agency has excluded an individual from participation in or denied the individual the benefits of the agency's services, programs or activities or has otherwise discriminated against the individual by reason of the individual's disability. This rulemaking is adopted for purposes of compliance with the Federal regulation.
- 16) Information and questions regarding this adopted rule shall be directed to:
- | | |
|------------|-----------------------------|
| Name: | Mr. John Stevens |
| | Chief Counsel |
| Address: | 500 South Second Street |
| | Springfield, Illinois 62706 |
| Telephone: | (217) 782-9003 |

The full text of the Adopted Rules begins on the next page:

NOTICE OF ADOPTED RULES

TITLE 4: DISCRIMINATION PROCEDURES
CHAPTER II: ATTORNEY GENERAL

PART 125

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section

125.10 Purpose

125.20 Definitions

125.30 Grievances

125.40 Manner of Filing

125.50 Initial Response

125.60 Review

125.70 Accessibility

125.80 Case-by-Case Resolution
Grievance Form

APPENDIX A

AUTHORITY: Implementing 28 CFR 35.107 (56 Fed. Reg. 35,718 (1991)) and authorized by Section 4 of the Attorney General Act (Ill. Rev. Stat. 1991, ch. 14, par. 4) [15 ILCS 205/4] and Sections 5-10 and 5-35 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1005-10 and 1005-35) [5 ILCS 100/5-10 and 100/5-35].

SOURCE: Adopted at 17 Ill. Reg. 1811, effective February 8, 1993.

Section 125.10 Purpose

a) This Part establishes the grievance procedure required by 56 Fed. Reg. 35,718 (1991) (to be codified at 28 CFR 35.107) pursuant to Title II of the Americans With Disabilities Act of 1990 (ADA) (42 U.S.C.A. 12131 et seq. (Supp. 1991)) for the purpose of resolving grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the designated coordinator.

b) In general, the ADA requires that each program, service and activity offered by the Office of the Attorney General (Office), when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.

c) It is the intention of the Office to foster open communication with all individuals requesting readily accessible programs, services and activities. The Office encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

Section 125.20 Definitions

a) A "grievance" is any complaint under the ADA by an individual with a

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disability who:

- 1) meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Office, and
- 2) believes he or she has been excluded from participation in, or denied the benefits of any program, service or activity of the Office or has been subject to discrimination by the Office, on the basis of his or her disability.

b) A "complainant" is an individual with a disability who files a grievance on the form set out in Appendix A of this Part.

c) The "designated coordinator" is the person(s) appointed by the Attorney General who is/are responsible for the coordination of efforts of the Office to comply with and carry out its responsibilities under Title II of the ADA, including the investigation of grievances filed by complainants. The ADA Coordinator can be contacted at the Office of the Attorney General, State of Illinois Center, 100 West Randolph, Chicago IL 60601, (312) 814-7123 (voice) (312) 814-3374 (TDD).

Section 125.30 Grievances

a) The Office will endeavor to respond to and resolve grievances without the need to resort to the formal grievance procedure established by this Part. A person who wishes to avail himself or herself of the formal procedure, however, may do so only by filing a grievance within 180 calendar days of the alleged discrimination in the form and manner prescribed in Section 125.40.

b) The Office shall provide a copy of the grievance procedure and the required complaint form to anyone who requests it or expresses a desire to file a formal grievance.

Section 125.40 Manner of Filing

a) The filing of a grievance is accomplished by the complainant's submission of a grievance in writing to the designated coordinator on the prescribed form. (See Appendix A.)

b) In order to be deemed filed and to receive proper consideration by the designated coordinator, the grievance form must be completed in full except as otherwise indicated on the form. The designated coordinator will notify the complainant within ten business days after the receipt of the form if the filing is not complete. The Office will assist with completion of the grievance form upon request.

Section 125.50 Initial Response

The designated coordinator, or his/her representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The designated coordinator shall provide a written response to the complainant and the Attorney General within ten (10) business days after receipt of the grievance

NOTICE OF ADOPTED RULES

form.

Section 125.60 Review

- a) If the grievance has not been resolved by the designated coordinator to the satisfaction of the complainant, the complainant may submit a copy of the grievance form and designated coordinator's response to the Attorney General for final review. The complainant shall submit these documents to the Attorney General, together with a short written statement explaining the reason(s) for dissatisfaction with the designated coordinator's written response, within five (5) business days after complainant's receipt of the designated coordinator's response. The Attorney General will extend the period for submitting the review request and supporting documents for up to ten (10) additional days upon complainant's request.
- b) The Attorney General shall appoint a three (3) member panel to review the grievance. One member so appointed shall be designated chairman.
- c) The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his/her behalf. The panel shall review the designated coordinator's written response and may conduct interviews and seek advice as it deems appropriate.
- d) The panel shall make recommendations in writing to the Attorney General as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may also make a signed, written recommendation to the Attorney General.
- e) Upon receipt of recommendations from a panel, the Attorney General shall approve, disapprove or modify the panel recommendations, shall render a decision thereon in writing, shall state the basis therefor, and shall cause a copy of the decision to be served on the parties. The Attorney General's decision shall be final. If the Attorney General disapproves or modifies the panel's recommendations, the Attorney General shall include written reasons for such disapproval or modification.
- f) A complainant's failure to appeal the designated coordinator's response for review by the Attorney General within the specified time limits shall mean that the complainant has withdrawn the grievance or has accepted the last response given by the coordinator.

Section 125.70 Accessibility

The Office shall ensure that all stages of the grievance procedure are readily accessible to and usable by individuals with disabilities.

Section 125.80 Case-by-Case Resolution

Each grievance involves a unique set of factors which includes but is not

NOTICE OF ADOPTED RULES

limited to: the specific nature of the disability; the essential eligibility requirements for, the benefits to be derived from, and the nature of the service, program or activity at issue; the health and safety of others; and, whether or not an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Office. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

NOTICE OF ADOPTED RULES

Section 125. APPENDIX A Grievance Form

Grievance
Discrimination Based on Disability

It is the policy of the Office of the Attorney General to provide assistance in filling out this form. If assistance is needed, please ask:

ADA Coordinator - Office of the Attorney General
State of Illinois Center, 100 West Randolph
Chicago, Illinois 60601
(312) 814-7123 (Voice) (312) 814-3374 (TDD)

Name: _____

Address: _____

City, State and Zip Code: _____

Telephone No.: _____

Program, Service, or Activity to which Access was Denied or in which Alleged Discrimination occurred: _____

Date of Alleged Discrimination: _____

Nature of Alleged Discrimination: _____

(Attach additional sheets, if necessary. If the grievance is based on a denial of requested reasonable modification, please fill out the back of this form.)

I certify that I am qualified or otherwise eligible to participate in the program, service or activity and the above statements are true to the best of my knowledge and belief.

Signature _____ Date _____

Please give to the ADA Coordinator at the address listed above.

For Office Use Only

Date Received: _____ By: _____

(BACK OF FORM)

Please fill out this part of the form if this grievance is based upon the denial of a requested reasonable modification. A reasonable modification will

ATTORNEY GENERAL

NOTICE OF ADOPTED RULES

be made to make programs, services and activities accessible. Reasonable modifications could include such things as providing auxiliary aids and devices and changing some policies and requirements to allow an individual with a disability to participate. This portion of the form should be filled in to the extent you know the answers. The form may be submitted even if this portion is incomplete.

- Reasonable modification requested:
- The date the reasonable modification was requested:
- The person to whom the request was made:
- The reason for denial:
- Estimated cost of modification (if an assistive device, such as a TDD or optical reader, or commodity or service to which a cost is readily known):
- Why is the requested modification necessary to use or participate in the program, service or activity?
- Alternative modifications which may provide accessibility:
- Any other information you believe will aid in a fair resolution of this grievance.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Pay Plan
- 2) The Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: Adopted Action:
 310.290 Amended
 310.450 Amended
 310.455 Amended
 310.470 Amended
 310.530 Amended
 310.540 Amended
 310. Appendix C Amended
 310. Appendix D Amended
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 127, par. 63b108a(2)
- 5) Effective Date of Amendment: February 2, 1993
- 6) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
If "yes", please specify date:
- 7) Does this amendment contain incorporation by reference? No
If "yes", was a copy of the approval form issued by JCAR attached to this rulemaking?
- These amendments do not contain any incorporations by reference.
- 8) Date filed in Agency's Principal Office: February 2, 1993
- 9) Notice of Proposal Published in Illinois Register:
 September 18, 1992, Issue #38, 16 Ill. Reg. 14001
- 10) Has JCAR issued a Statement of Objections to this rule? No
If answer is "yes", please complete the following:
 A) Statement of Objection: _____, _____, _____ Ill. Reg. _____
 (Issue Date)
 B) Agency Response: _____, _____ Ill. Reg. _____
 (Issue Date)
 C) Date Agency Response Submitted for Approval to JCAR:
- 11) Difference between proposal and final version:
 No changes were recommended to this filing.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?

13) Will these Amendments replace an emergency amendment currently in effect? Yes

14) Are there any amendments pending to this part? Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310.30	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310.40	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310.230	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310.270	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310. Appendix A, Table C	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310. Appendix A, Table D	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310. Appendix A, Table E	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310. Appendix A, Table F	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310. Appendix A, Table O	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310. Appendix A, Table P	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310. Appendix A, Table U	Amended	16 Ill. Reg. 18139 (December 4, 1992)
310.290	Amended	17 Ill. Reg. 191 (January 8, 1993)
310. Appendix C	Amended	17 Ill. Reg. 191 (January 8, 1993)

15) Summary and Purpose of Amendment:

The Department of Central Management Services had previously filed amendments to the Pay Plan to implement the Fiscal Year 1993 changes that affected those employees subject to the Merit Compensation System Salary Schedule. The following revised sections are being adopted:

In Section 310.290, Out-of-State or Foreign Service Rate, salary ranges for those titles within this section were increased to maintain their present differential for positions out of the State of Illinois.

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NOTICE OF ADOPTED AMENDMENTS

Also, at the request of the Department of Revenue, the Office Administrator IV classification was included under Section 310.290 with the salary ranges of \$2,142 - 3,357 for the States of California and New Jersey, and \$1,895 - 2,969 for all other states.

In Sections 310.450, 310.530 and 310.540, the provision which suspended salary increases under the Merit Compensation System Salary Schedule was omitted.

In Section 310.450(d), the provision was changed to reflect that no increase would be granted on ratings of "Needs Improvement" or "Unacceptable".

In Section 310.455, the Intermittent Merit Increases provided for under this section were suspended for Fiscal Year 1993.

In Section 310.470, a provision was included to reflect that an approved salary adjustment of more than 3% will result in a change to the employee's creditable service date.

In Section 310.540, the Merit Increase Guidechart was revised to reflect the following percentage increases for the following evaluations: 0% to 8.5% for Superior, 0% to 6.5% for Exceeds Expectations and 0% to 4.5% for Meets Expectations.

In Section 310. Appendixes C and D, the Schedule for the Physician Administrator Rates and Medical Facilities Administrator Rates and the Merit Compensation System Salary Schedule were adjusted by 4% for Fiscal Year 1993.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Mr. Michael Murphy
Address: Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706

Telephone: (217) 782-5601

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section
310.20
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310.40
310.50
310.60
310.70
310.80
310.90
310.100
310.110
310.120
310.130
310.140
310.150

Policy and Responsibilities
Jurisdiction
Pay Schedules
Definitions
Conversion of Base Salary to Pay Period Units
Conversion of Base Salary to Daily or Hourly Equivalents
Increases in Pay
Decreases in Pay
Other Pay Provisions
Implementation of Pay Plan Changes for Fiscal Year 1993
Interpretation and Application of Pay Plan
Effective Date
Reinstitution of Within Grade Salary Increases
Fiscal Year 1985 Pay Changes in Schedule of Salary Grades,
effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section
310.205
310.210
310.220
310.230
310.240
310.250
310.260
310.270
310.280
310.290
310.300
310.310
310.320
310.330

Introduction
Prevailing Rate
Negotiated Rate
Part-Time Daily or Hourly Special Services Rate
Hourly Rate
Member, Patient and Inmate Rate
Trainee Rate
Legislated and Contracted Rate
Designated Rate
Out-of-State or Foreign Service Rate
Educator Schedule for RC-063 and HR-010
Physician Specialist Rate
Annual Compensation Ranges for Executive Director and
Assistant Executive Director, State Board of Elections
Excluded Classes Rate (Repealed)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF ADOPTED AMENDMENTS

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NOTICE OF ADOPTED AMENDMENTS

TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)
TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly and Annual Rates of Pay for Fiscal Year 1993
APPENDIX C	Physician Administrator Rates and Medical Facilities Administrator Rates for Fiscal Year 1993
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1993
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)

AUTHORITY: Implementing and authorized by Section 8a(2) of the Personnel Code (111. Rev. Stat. 1991, ch. 127, par. 63b108a(2)).

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of

SUBPART C: MERIT COMPENSATION SYSTEM

Section	Jurisdiction
310.410	Objectives
310.420	Responsibilities
310.430	Merit Compensation Salary Schedule
310.440	Procedures for Determining Annual Merit Increases
310.450	Intermittent Merit Increase
310.455	Merit Zone
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1993
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, ISEA)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	VR-004 (Illinois State Treasurer's Office Employees, Teamsters and IFT)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, ISEA)
TABLE Q	RC-033 (Meat Inspectors, ISEA)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at

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14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; Emergency amendment at 16 Ill. Reg. 6888, effective April 9, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 1819, effective February 2, 1993.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 310.290 Out-of-State or Foreign Service Rate

The rate of pay for employees occupying positions which require payment in accordance with the economic conditions and social legislation of another state or foreign country. An adjustment may be made to the salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate. The Director of the Department of Central Management Services will, before approving an adjustment, consider the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

Title	Range	Effective Fiscal Year 1992 1993
Foreign Service Economic Development Executive I	2634---4561 2739 - 4743	
Foreign Service Economic Development Executive II	3415---5998 3552 - 6238	
Foreign Service Economic Development Representative	2268---3793 2359 - 3945	
Office Administrator IV (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI) (CA, NJ)	1895 - 2969 2142 - 3357	
Office Assistant (Foreign Service)	1566---1934 1605 - 1983	
Office Associate (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI) (CA, NJ)	1676---2101 1717 - 2154 1894---2375 1941 - 2435	
Office Coordinator (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI) (CA, NJ)	1739---2191 1783 - 2246 1966---2477 2015 - 2539	

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Revenue Audit Supervisor (OH, TX)	2997---5284 3117 - 5497 3388---5974 3523 - 6214
(CA, NJ)	
Revenue Auditor I (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	2369---3099 2429 - 3176 2678---3504 2746 - 3591
(CA, NJ)	
Revenue Auditor II (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	2620---3447 2685 - 3533 2961---3896 3036 - 3994
(CA, NJ)	
Revenue Auditor III (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	2919---3874 2991 - 3971 3299---4897 3381 - 4489
(CA, NJ)	
Revenue Auditor Trainee (CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH, TN, TX and WI)	1975---2527 2024 - 2590 2232---2856 2288 - 2928
(CA, NJ)	
Revenue Assistant Audit Field Manager (OH, TX)	3182---5655 3309 - 5881 3597---6392 3741 - 6648
(CA, NJ)	
Revenue Field Audit Manager (NJ)	3840---6839 3993 - 7112

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Tax Examiner

(CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH,
TN, TX and WI)

(CA, NJ)

~~1739---2191~~
~~1783 - 2246~~
~~1966---2477~~
~~2015 - 2539~~

Tax Examiner Trainee

(CO, GA, IN, IA, KY, MI, MN, MO, NE, NC, OH,
TN, TX and WI)

(CA, NJ)

~~1566---1934~~
~~1605 - 1983~~
~~1771---2187~~
~~1815 - 2241~~

(Source: Amended at 17 Ill. Reg. 1819, effective February 2, 1993)

Section 310.450 Procedures for Determining Annual Merit Increases

~~Effective July 1, 1991, the provisions for salary increases normally~~
~~allowed under Section 310.450 as set forth below are suspended. No~~
~~increases can be granted under this provision until further amendment.~~

- a) An annual merit increase is an in-range salary adjustment for demonstrated performance.
- b) Eligibility for an annual merit increase shall be determined by the following conditions:
 - 1) Each employee will be eligible for a merit review after attaining 12 months creditable service. The employee's immediate supervisor shall prepare an Individual Development and Performance Evaluation form prior to the Performance Review Date, and discuss the results with the employee.
 - 2) Should the Individual Development and Performance review result in the employee not being eligible for an annual merit increase due to provisions of Section 310.450(d), or should the employee's base rate be at the maximum rate of pay of the salary range assigned to the employee's position, the employee will not be eligible for an annual merit increase until 12 months of additional creditable service has been accrued.
 - c) Based upon the results of the Individual Development and Performance Evaluation, the employees' immediate supervisor shall determine whether the employee's performance warrants or does not warrant an annual merit increase.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- d) The amount of an annual merit increase recommendation shall be determined by use of the Merit Increase Guidechart of Section 310.540 if the employee's Individual Development and Performance Evaluation has on the Performance Review Date been evaluated at a Category 4 3 or higher level. An employee whose Individual Development and Performance Evaluation has, on the Performance Review Date been evaluated at Category 4 or 5 shall not receive an increase in the present base salary. However, in no event is the resulting salary to be lower than the minimum or higher than the maximum rate of pay of the respective salary range assigned to the employee's position.
- e) The employee's immediate supervisor shall prepare a performance Certification and Salary Increase Recommendation form indicating whether or not the employee is eligible for an annual merit increase and the amount thereof.
- f) The employee's immediate supervisor shall forward the Individual Development and Performance Evaluation records and Performance Certification and Salary Increase Recommendation records to the agency head or a designated authority for review and approval.
- g) Annual merit increase in pay shall become effective the first day of the month in which the employee's Performance Review Date occurs.

(Source: Amended at 17 Ill. Reg. 1819, effective February 2, 1993)

Section 310.455 Intermittent Merit Increase

Until further amendment, Intermittent Merit Increases are suspended for Fiscal Year 1993.

- a) An Intermittent Merit Increase may be proposed by a supervisor when one of the following conditions have been met: Outstanding performance of a substantial project; outstanding performance by a manager or supervisor that greatly improves operating efficiency; performance significantly beyond standards for a sustained period. The supervisor must document the circumstances justifying the merit increase.
- b) An Intermittent Merit Increase may be awarded in any whole dollar amount up to 5% of current base salary. An Intermittent Merit Increase may be awarded to an employee not more often than once in a six month period.

- c) The increase must have the prior approval of the agency Director and the Director of Central Management Services.
- (Source: Amended at 17 Ill. Reg. 1819, effective February 2, 1993)

Section 310.470 Adjustment

An employee may receive an upward adjustment in base salary for the purpose of correcting a previous error or oversight or, when the best interests of the agency and the State of Illinois will be served. Such adjustments must have the prior approval of the Director of Central Management Services. In determining the appropriateness of a request for a salary adjustment by an employing agency, the Director of Central Management Services will consider whether the need for the adjustment is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the particular circumstances prompting the request.

A salary adjustment greater than either 3% or \$150.00 will create a new creditable service date.

- (Source: Amended at 17 Ill. Reg. 1819, effective February 2, 1993)

Section 310.530 Implementation

- a) The salary schedule for the Merit Compensation System for Fiscal Year 1992 1993 will continue as set forth in Appendix D of the Pay Plan.
- b) The Merit Increase Guidechart for Fiscal Year 1992 1993 is modified, effective July 1, 1991, to suspend Merit increases until further amendment as set forth in Section 310.540 of the Pay Plan.
- c) Any employee with a performance review date of July 1, August 1 or September 1, 1992 who received a salary payment that did not reflect the use of the Merit Guidechart as set forth in Section 310.540 shall receive a lump sum payment equal to the difference between what was initially paid and what is determined to be appropriate by use of the Merit Increase Guidechart.

- (Source: Amended at 17 Ill. Reg. 1819, effective February 2, 1993)

Section 310.540 Annual Merit Increase Guidechart for Fiscal Year 1992 1993

Until further amendment, merit increases are suspended, effective July 1, 1991.

Category	Definition	Allowable Increase
Category 1	Superior	0% 0% to 8.5%
Category 2	Exceeds Expectations	0% 0% to 6.5%
Category 3	Meets Expectations	0% 0% to 4.5%
Category 4	Needs Improvement	0%
Category 5	Unacceptable	0%
(Source: Amended at 17 Ill. Reg. 1819, effective February 2, 1993)		

Section 310. Appendix C - Physician Administrator Rates and Medical Facilities Administrator Rates for Fiscal Year 1992 1993

Title	Minimum Salary	Midpoint Salary	Maximum Salary
Medical Facilities-Adminis- trator-I-Option-C	5,965	7,171	8,377
	71,580	86,952	100,524
Medical Facilities-Adminis- trator-I-Option-D	6,662	7,898	9,134
	79,944	94,776	109,608
Medical Facilities-Adminis- trator-II-Option-C	6,446	7,671	8,896
	77,352	92,052	106,752
Medical Facilities-Adminis- trator-II-Option-D	7,403	8,676	9,949
	88,836	104,112	119,388
Medical Facilities-Adminis- trator-III	7,664	9,063	10,462
	91,968	108,756	125,544
Medical Facilities-Adminis- trator-IV	7,789	9,187	10,585
	93,468	110,244	127,020

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

Medical-Facilities-Adminis- trator-V-----	7,914-----	9,312-----	10,710-----
Physician-Administrator-I-----	4,711-----	5,781-----	6,851-----
Physician-Administrator-II-----	4,837-----	5,935-----	7,033-----
Physician-Administrator-III-----	4,967-----	6,095-----	7,223-----
Physician-Administrator-IV-----	5,225-----	6,321-----	7,417-----
Physician-Administrator-V-----	5,549-----	6,531-----	7,513-----
Medical Facilities Adminis- trator I Option C-----	6,204-----	7,458-----	8,712-----
Medical Facilities Adminis- trator I Option D-----	6,928-----	8,214-----	9,500-----
Medical Facilities Adminis- trator II Option C-----	6,704-----	7,978-----	9,252-----
Medical Facilities Adminis- trator II Option D-----	7,699-----	9,023-----	10,347-----
Medical Facilities Adminis- trator III-----	7,971-----	9,426-----	10,881-----
Medical Facilities Adminis- trator IV-----	8,101-----	9,555-----	11,009-----
Medical Facilities Adminis- trator V-----	8,231-----	9,685-----	11,139-----
Physician Administrator I-----	4,899-----	6,012-----	7,125-----
Physician Administrator II-----	5,030-----	6,172-----	7,314-----
Physician Administrator III-----	5,166-----	6,339-----	7,512-----

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Physician Administrator IV-----	5,434-----	6,574-----	7,714-----
Physician Administrator V-----	5,771-----	6,793-----	7,815-----

The rates of pay for physicians occupying or appointed to a position in the Physician Administrator classes and the Medical Facilities Administrator classes shall be as listed in the above schedule. All provisions of Subpart C of the Pay Plan, Merit Compensation System will apply to Physician Administrator positions and the Medical Facilities Administrator positions.

(Source: Amended at 17 Ill. Reg. 1819, effective February 2, 1993)

Section 310. Appendix D - Merit Compensation System Salary Schedule for Fiscal Year 1992 1993

Salary Range	Minimum Salary	Midpoint Salary	Maximum Salary	Merit Pay Zone Limit
MC-1-----	1,580-----	2,013-----	2,446-----	2,568-----
MC-2-----	1,960-----	24,156-----	29,352-----	30,816-----
MC-3-----	1,648-----	2,115-----	2,582-----	2,711-----
MC-4-----	1,727-----	2,237-----	2,747-----	2,884-----
MC-5-----	1,806-----	2,341-----	2,876-----	3,020-----
MC-6-----	1,895-----	2,477-----	3,059-----	3,212-----
MC-7-----	1,990-----	2,602-----	3,214-----	3,375-----
MC-8-----	2,097-----	2,760-----	3,423-----	3,594-----
MC-9-----	2,210-----	2,927-----	3,644-----	3,826-----
MC-10-----	2,341-----	3,092-----	3,876-----	4,128-----
MC-11-----	2,477-----	3,264-----	4,128-----	4,428-----
MC-12-----	2,602-----	3,441-----	4,428-----	4,728-----
MC-13-----	2,740-----	3,624-----	4,728-----	5,028-----
MC-14-----	2,880-----	3,812-----	5,028-----	5,328-----
MC-15-----	3,020-----	4,004-----	5,328-----	5,628-----
MC-16-----	3,160-----	4,200-----	5,628-----	5,928-----
MC-17-----	3,300-----	4,400-----	5,928-----	6,228-----
MC-18-----	3,441-----	4,604-----	6,228-----	6,528-----
MC-19-----	3,582-----	4,812-----	6,528-----	6,828-----
MC-20-----	3,722-----	5,024-----	6,828-----	7,128-----
MC-21-----	3,862-----	5,240-----	7,128-----	7,428-----
MC-22-----	4,004-----	5,460-----	7,428-----	7,728-----
MC-23-----	4,144-----	5,684-----	7,728-----	8,028-----
MC-24-----	4,284-----	5,912-----	8,028-----	8,328-----
MC-25-----	4,424-----	6,144-----	8,328-----	8,628-----
MC-26-----	4,564-----	6,380-----	8,628-----	8,928-----
MC-27-----	4,704-----	6,620-----	8,928-----	9,228-----
MC-28-----	4,844-----	6,864-----	9,228-----	9,528-----
MC-29-----	4,984-----	7,112-----	9,528-----	9,828-----
MC-30-----	5,124-----	7,364-----	9,828-----	10,128-----
MC-31-----	5,264-----	7,620-----	10,128-----	10,428-----
MC-32-----	5,404-----	7,880-----	10,428-----	10,728-----
MC-33-----	5,544-----	8,144-----	10,728-----	11,028-----
MC-34-----	5,684-----	8,412-----	11,028-----	11,328-----
MC-35-----	5,824-----	8,684-----	11,328-----	11,628-----
MC-36-----	5,964-----	8,960-----	11,628-----	11,928-----
MC-37-----	6,104-----	9,240-----	11,928-----	12,228-----
MC-38-----	6,244-----	9,524-----	12,228-----	12,528-----
MC-39-----	6,384-----	9,812-----	12,528-----	12,828-----
MC-40-----	6,524-----	10,104-----	12,828-----	13,128-----
MC-41-----	6,664-----	10,400-----	13,128-----	13,428-----
MC-42-----	6,804-----	10,700-----	13,428-----	13,728-----
MC-43-----	6,944-----	11,004-----	13,728-----	14,028-----
MC-44-----	7,084-----	11,312-----	14,028-----	14,328-----
MC-45-----	7,224-----	11,624-----	14,328-----	14,628-----
MC-46-----	7,364-----	11,940-----	14,628-----	14,928-----
MC-47-----	7,504-----	12,260-----	14,928-----	15,228-----
MC-48-----	7,644-----	12,584-----	15,228-----	15,528-----
MC-49-----	7,784-----	12,912-----	15,528-----	15,828-----
MC-50-----	7,924-----	13,244-----	15,828-----	16,128-----
MC-51-----	8,064-----	13,580-----	16,128-----	16,428-----
MC-52-----	8,204-----	13,920-----	16,428-----	16,728-----
MC-53-----	8,344-----	14,264-----	16,728-----	17,028-----
MC-54-----	8,484-----	14,612-----	17,028-----	17,328-----
MC-55-----	8,624-----	14,964-----	17,328-----	17,628-----
MC-56-----	8,764-----	15,320-----	17,628-----	17,928-----
MC-57-----	8,904-----	15,680-----	17,928-----	18,228-----
MC-58-----	9,044-----	16,044-----	18,228-----	18,528-----
MC-59-----	9,184-----	16,412-----	18,528-----	18,828-----
MC-60-----	9,324-----	16,784-----	18,828-----	19,128-----
MC-61-----	9,464-----	17,160-----	19,128-----	19,428-----
MC-62-----	9,604-----	17,540-----	19,428-----	19,728-----
MC-63-----	9,744-----	17,924-----	19,728-----	20,028-----
MC-64-----	9,884-----	18,312-----	20,028-----	20,328-----
MC-65-----	10,024-----	18,704-----	20,328-----	20,628-----
MC-66-----	10,164-----	19,100-----	20,628-----	20,928-----
MC-67-----	10,304-----	19,500-----	20,928-----	21,228-----
MC-68-----	10,444-----	19,904-----	21,228-----	21,528-----
MC-69-----	10,584-----	20,312-----	21,528-----	21,828-----
MC-70-----	10,724-----	20,724-----	21,828-----	22,128-----
MC-71-----	10,864-----	21,140-----	22,128-----	22,428-----
MC-72-----	11,004-----	21,560-----	22,428-----	22,728-----
MC-73-----	11,144-----	21,984-----	22,728-----	23,028-----
MC-74-----	11,284-----	22,412-----	23,028-----	23,328-----
MC-75-----	11,424-----	22,844-----	23,328-----	23,628-----
MC-76-----	11,564-----	23,280-----	23,628-----	23,928-----
MC-77-----	11,704-----	23,720-----	23,928-----	24,228-----
MC-78-----	11,844-----	24,164-----	24,228-----	24,528-----
MC-79-----	11,984-----	24,612-----	24,528-----	24,828-----
MC-80-----	12,124-----	25,064-----	24,828-----	25,128-----
MC-81-----	12,264-----	25,520-----	25,128-----	25,428-----
MC-82-----	12,404-----	25,980-----	25,428-----	25,728-----
MC-83-----	12,544-----	26,444-----	25,728-----	26,028-----
MC-84-----	12,684-----	26,912-----	26,028-----	26,328-----
MC-85-----	12,824-----	27,384-----	26,328-----	26,628-----
MC-86-----	12,964-----	27,860-----	26,628-----	26,928-----
MC-87-----	13,104-----	28,340-----	26,928-----	27,228-----
MC-88-----	13,244-----	28,824-----	27,228-----	27,528-----
MC-89-----	13,384-----	29,312-----	27,528-----	27,828-----
MC-90-----	13,524-----	29,804-----	27,828-----	28,128-----
MC-91-----	13,664-----	30,300-----	28,128-----	28,428-----
MC-92-----	13,804-----	30,800-----	28,428-----	28,728-----
MC-93-----	13,944-----	31,304-----	28,728-----	29,028-----
MC-94-----	14,084-----	31,812-----	29,028-----	29,328-----
MC-95-----	14,224-----	32,324-----	29,328-----	29,628-----
MC-96-----	14,364-----	32,840-----	29,628-----	29,928-----
MC-97-----	14,504-----	33,360-----	29,928-----	30,228-----
MC-98-----	14,644-----	33,884-----	30,228-----	30,528-----
MC-99-----	14,784-----	34,412-----	30,528-----	30,828-----
MC-100-----	14,924-----	34,944-----	30,828-----	31,128-----

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MC-9	2,336	3,089	3,842	4,034
	28,032	37,068	46,104	48,408
MC-10	2,467	3,290	4,113	4,319
	29,604	39,480	49,356	51,828
MC-11	2,606	3,491	4,376	4,595
	31,272	41,892	52,512	55,140
MC-12	2,767	3,725	4,683	4,917
	33,204	44,700	56,196	59,004
MC-13	2,954	3,982	5,010	5,261
	35,148	47,784	60,420	63,132
MC-14	3,160	4,275	5,390	5,660
	37,920	51,300	64,680	67,920
MC-15	3,392	4,583	5,774	6,063
	40,704	54,996	69,288	72,756
MC-16	3,631	4,924	6,217	6,528
	43,572	59,088	74,604	78,336
MC-17	3,918	5,315	6,712	7,048
	47,016	63,780	80,544	84,576
MC-18	4,223	5,553	6,883	7,227
	50,676	66,636	82,596	86,724
MC-19	4,562	5,802	7,042	7,394
	54,744	69,624	84,504	88,728
MC 1	1,643	2,094	2,545	2,671
	19,716	25,128	30,540	32,052
MC 2	1,714	2,200	2,686	2,819
	20,568	26,400	32,232	33,828
MC 3	1,796	2,327	2,858	2,999
	21,552	27,924	34,296	35,988
MC 4	1,878	2,435	2,992	3,141
	22,536	29,220	35,904	37,692
MC 5	1,971	2,576	3,181	3,340
	23,652	30,912	38,172	40,080

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MC 6	2,070	2,707	3,344	3,510
	24,840	32,484	40,128	42,120
MC 7	2,181	2,871	3,561	3,738
	26,172	34,452	42,732	44,856
MC 8	2,298	3,044	3,790	3,979
	27,576	36,528	45,480	47,748
MC 9	2,429	3,213	3,997	4,195
	29,148	38,556	47,964	50,340
MC 10	2,566	3,422	4,278	4,492
	30,792	41,064	51,336	53,904
MC 11	2,710	3,631	4,552	4,779
	32,520	43,572	54,624	57,348
MC 12	2,878	3,874	4,870	5,114
	34,536	46,488	58,440	61,368
MC 13	3,072	4,141	5,210	5,471
	36,864	49,692	62,520	65,652
MC 14	3,286	4,446	5,606	5,886
	39,432	53,352	67,272	70,632
MC 15	3,528	4,767	6,006	6,306
	42,336	57,204	72,072	75,672
MC 16	3,776	5,121	6,466	6,789
	45,312	61,452	77,592	81,468
MC 17	4,075	5,528	6,981	7,330
	48,900	66,336	83,772	87,960
MC 18	4,392	5,775	7,158	7,516
	52,704	69,300	85,896	90,192
MC 19	4,744	6,034	7,324	7,690
	56,928	72,408	87,888	92,280

(Source: Amended at 17 Ill. Reg. 1819, effective February 2, 1993.)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Enterprise Zone Program
- 2) Code Citation: 14 Ill. Adm. Code 520
- 3) Section Numbers:
520.920 Adopted Action:
520.930 Amendment
520.1020 Amendment
520.1030 Amendment
- 4) Statutory Authority: Implementing Section 9-221.1 of the Public Utilities Act (Ill. Rev. Stat. 1991, ch. 111 2/3, par. 9-222.1) and Section 1f of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 1991, ch. 120, par. 440f) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127 par. 46.42).
- 5) Effective Date of Amendments: February 1, 1993
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: January 29, 1993.
- 9) Notice of Proposal Published in Illinois Register: September 11, 1992
- 16 Ill. Reg. 13691.
- 10) Has JCAR issued a Statement of Objections to these amendments? No.
- 11) Differences between proposal and final version: Only technical changes recommended by JCAR have been made to this rulemaking.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements between the Department of Commerce and Community Affairs and JCAR were necessary to resolve JCAR questions concerning this rulemaking.
- 13) Will these amendments replace an emergency amendment currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments: Amendments to the Enterprise Zone Program rules are being adopted to streamline the application process and to more accurately reflect the intent of the legislation for the "Machinery and Equipment/Pollution Control Facilities Sales Tax Exemption" and the "Enterprise Zone Utility Tax Exemption". Amendments to Sections 520.920 and 520.1020 require the submission of an audit as

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NOTICE OF ADOPTED AMENDMENTS

part of an application rather than after certification. Sections 520.930 and 520.1030 have been amended to allow the Department 90 days to review applications. This change will make the review timeframe for these two exemptions consistent with other enterprise zone application requirements and provide the department with adequate time to complete the review. Amendments to these Sections also allow applicants 45 days instead of 15 days to resubmit applications found to be deficient and give the department an additional 30 days to review the resubmitted applications.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Norman Sims, Deputy Director
Department of Commerce and Community Affairs
Office of Policy Development, Planning & Research
620 East Adams Street, 3rd floor
Springfield, Illinois 62701
(217) 524-4845

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 14: COMMERCE
SUBTITLE C: ECONOMIC DEVELOPMENT
CHAPTER I: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 520
ENTERPRISE ZONE PROGRAM

SUBPART A: DEFINITIONS

Section
520.100

Definitions

SUBPART B: APPLICATION AND CERTIFICATION

Section

520.200

Eligible Applicants

520.210

Eligibility Criteria

520.220

Form of Application

520.230

Application Procedures

520.240

Joint Application

520.250

Application Evaluation and Ranking

SUBPART C: AMENDMENT AND DECERTIFICATION

Section

520.300

Application Overview

520.310

Boundary Changes

520.315

Application to Change Incentives, Alter Termination Date, and Make

Technical Corrections

520.320

Decertification

SUBPART D: DESIGNATED ZONE ORGANIZATIONS

Section

520.400

General

520.410

Project Eligibility and Approval

520.420

Charitable Contributions

SUBPART E: LOCAL RESPONSIBILITIES

Section

520.500

Reporting and Monitoring

520.510

Administration

SUBPART F: TAX INCENTIVES

Section

520.600

Jobs Tax Credit

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SUBPART G: HIGH IMPACT BUSINESSES IN ILLINOIS

Section

520.700

Definitions

520.710

Eligible Applicants

520.720

Eligibility Criteria

520.730

Form of Application

520.740

Application Review and Approval

520.750

Revocation of the High Impact Business Designation

SUBPART H: INVESTMENT TAX CREDIT CARRY-FORWARD

Section

520.800

Definitions (Repealed)

520.810

Eligibility Criteria (Repealed)

520.820

Form of Application (Repealed)

520.830

Application Review and Approval Process (Repealed)

SUBPART I: MACHINERY AND EQUIPMENT/POLLUTION
CONTROL FACILITIES SALES TAX EXEMPTION

Section

520.900

Definitions

520.910

Eligibility Criteria

520.920

Form of Application

520.930

Application Review and Approval Process

SUBPART J: ENTERPRISE ZONE UTILITY TAX EXEMPTION

Section

520.1000

Definitions

520.1010

Eligibility Criteria

520.1020

Form of Application

520.1030

Application and Approval Process

SUBPART K: HIGH IMPACT SERVICE FACILITY MACHINERY AND EQUIPMENT SALES TAX
EXEMPTION

Section

520.1100

Definitions

520.1110

Eligibility Criteria

520.1120

Form of Application

520.1130

Application and Approval Process

520.1140

Use Tax Exemption

AUTHORITY: Implementing the Illinois Enterprise Zone Act (Ill. Rev. Stat. 1991, ch. 67 1/2, pars. 601 et seq.); Sections 201(f), (g) and (h) of the Illinois Income Tax Act (Ill. Rev. Stat. 1991, ch. 120, pars. 2-201(f), (g), and (h)); Sections 1d-1f and 1i-1j of the Retailers' Occupation Tax Act (Ill.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENT(S)

Rev. Stat. 1991, ch. 120, pars. 440d-440f and 440i-440j); and Sections 9-221, 9-222, and 9-222.1 of the Public Utilities Act (Ill. Rev. Stat. 1991, ch. 111 2/3, pars. 9-221, 9-222, and 9-222.1) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 46.42).

SOURCE: Adopted at 9 Ill. Reg. 11790, effective July 24, 1985; emergency amendments at 10 Ill. Reg. 4936, effective March 11, 1986 for a maximum of 150 days; amended at 10 Ill. Reg. 7323, effective April 18, 1986; amended at 10 Ill. Reg. 12563, effective July 7, 1986; amended at 10 Ill. Reg. 12915, effective July 22, 1986; amended at 10 Ill. Reg. 15200, effective September 8, 1986; amended at 10 Ill. Reg. 16580, effective September 24, 1986; amended at 10 Ill. Reg. 19718, effective November 6, 1986; amended at 11 Ill. Reg. 11054, effective June 5, 1987; emergency amendments at 11 Ill. Reg. 11174, effective June 8, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16091, effective September 29, 1987; amended at 12 Ill. Reg. 4115, effective February 8, 1988; amended at 12 Ill. Reg. 11201, effective June 17, 1988; amended at 12 Ill. Reg. 17823, effective October 21, 1988; emergency amendment at 13 Ill. Reg. 16117, effective October 2, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19936, effective December 7, 1989; amended at 14 Ill. Reg. 3445, effective February 27, 1990; amended at 15 Ill. Reg. 8683, effective May 30, 1991; amended at 16 Ill. Reg. 89, effective December 20, 1991; amended at 17 Ill. Reg. 1837, effective February 1, 1993.

SUBPART I: MACHINERY AND EQUIPMENT/POLLUTION

CONTROL FACILITIES SALES TAX EXEMPTION

Section 520.920 Form of Application

An application shall be submitted on the standard application form provided by the Department. An application shall include:

- a)
- Investment Information - a description summary of the eligible investment; documentation to substantiate that the investment is eligible (e.g., balance sheets, construction schedules, schematics and specifications, or lists and cost of equipment purchased); and a statement when the eligible investments in qualified property were placed in service.
- b)
- Job Information
- 1) Job Creation - information on new employment that will result occur in the enterprise zone as a result of the investment which includes by job title(s) the number of current and new employees, and starting date of new employees; and an explanation of how and why the investment causes additional employment in the enterprise zone; or
- 2) Job Retention - information on the full-time jobs that will be retained in the enterprise zone as a result of the investment which includes by job title(s) the number of employees; and an explanation of how and why the investment causes retention of full-time employees.

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NOTICE OF ADOPTED AMENDMENT(S)

- 3)
- Applicants utilizing the job creation criterion for eligibility for the exemption must actually employ 200 full-time equivalent employees prior to certification for this exemption.
- 4)
- Applicants are encouraged to submit applications to the Department prior to the actual creation of 200 full-time equivalent jobs. The Department will conditionally approve the application subject to the requirements of Section 520.910 being met.

c) Audit - an examination by public accountants certified by the State of Illinois, in accordance with generally accepted accounting practices, containing the unqualified opinion of such public accountants that the minimum eligible investments have been made and the minimum jobs have been created or retained.

e)d) Certification - signed and dated statement indicating that data and information in the application is correct; the Department will be provided access to any material, documentation or other data required to verify application information; and a statement that the number of jobs to be created or retained shall be maintained for term of exemption, otherwise the Department will be notified and exemption terminated.

(Source: Amended at 17 Ill. Reg. 1837, effective February 1, 1993.)

Section 520.930 Application Review and Approval Process

a) Applications shall be submitted to the Department which shall approve or deny the application in writing within 45 90 days of receipt. The application shall be approved if it meets the requirements of Sections 520.910 and 520.920.

b) In cases when the Department denies an application it shall specify in writing the reasons for denial and shall allow the applicant 45 45 days to amend and resubmit the application. Resubmitted applications shall be approved or denied in writing within 45 45 days of receipt.

c) Applicants determined eligible by the Department, in accordance with Section 520.910, shall be issued a Certificate of Exemption. A copy of the Certificate of Exemption will be filed by the Department with the Illinois Department of Revenue in accordance with Section 1f of the Act.

d) Subject to Section 520.910 herein, and in accordance with Section 1d of the Retailers' Occupation Tax Act (Ill. Rev. Stat. 1989 1991, ch. 120, par. 440d), as amended by P.A. 86-14567, effective December 12, 1990) this exemption includes

- 1)
- all tangible personal property used or consumed in the process of manufacturing or assembling of tangible personal property for wholesale or retail sale or lease or in the process of graphic arts production;
- 2)
- repair and replacement parts for machinery and equipment used in the manufacturing or assembling of tangible personal property or

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in the process of graphic arts production for wholesale or retail sale or lease; and

- 3) equipment, manufacturing or graphic arts fuels, material and supplies for the maintenance, repair or operation of such manufacturing or assembling or graphic arts machinery or equipment.

e) ~~Businesses approved in accordance with this Section shall furnish to the Department not later than 90 days after the certificate of exemption has been issued, financial statements of the business examined by public accountants certified by the State of Illinois, in accordance with generally accepted accounting practices, containing the unqualified opinion of such public accountants that the investments in qualified property have been placed in service; in addition, the Department shall have the right to inspect and conduct its own audit of all books and records relied upon by the business to demonstrate that the eligible investments in qualified property have been placed in service. Certified businesses shall also submit information annually to the Department documenting the maintenance of the minimum job creation or job retention criterion. Certified businesses who that fail to comply with this subsection shall be decertified for the tax exemption and shall repay the exempted taxes. The jobs created or retained must be documented through personnel records.~~

f) All certified businesses will receive this exemption for a period of five years.

g) At the expiration of this initial five year period, certified businesses may apply to the Department for renewals of the exemption for additional five-year time periods. The Department shall grant an exemption to a certified business for an additional five-year period provided that at the time of the application for renewal:

- 1) The following job creation/retention criteria are met:
 - A) In the case of a business certified pursuant to the job creation criterion of Section 520.910, such business has retained a minimum of 200 full-time equivalent jobs in Illinois.

B) In the case of a business certified pursuant to the job retention criterion of Section 520.910, such business has

- i) retained a minimum of 2,000 full-time jobs in Illinois, or

ii) has made an eligible investment of \$40,000,000 resulting in the retention of 90% of the full-time jobs in place on the date on which the exemption is granted for the duration of the exemption.

C) A majority of the "jobs retained" must be in the Enterprise Zone in which the eligible investment is made.

- 2) Such business is located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act (Ill. Rev. Stat. 1989 1991, ch. 67 1/2, pars. 601 et seq., ~~as amended by P.A. 86-1456 effective December 12, 1998~~).

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- 3) Such business provides an Audited Financial Statement including balance sheets and income statements audited according to generally accepted auditing standards by a public accountant certified in the State of Illinois. In addition, the firm's chief financial officer shall attest in writing that the firm is not aware of a condition or occurrence which would result in bankruptcy or closure.

4) This exemption shall not be allowed beyond the term of the certified Enterprise Zone.

(Source: Amended at 17 Ill. Reg. 1837, effective February 1, 1993)

SUBPART J: ENTERPRISE ZONE UTILITY TAX EXEMPTION

Section 520.1020 Form of Application

An application shall be submitted on the standard application form provided by the Department. An application shall include:

- a) Investment information - a description summary of the eligible investment - documentation to substantiate that the investment is eligible - (e.g., balance sheets, construction schedules, schematics and specifications, or lists and cost of equipment purchased) and a statement when eligible investments in qualified property were or will be placed in service.

b) Job Information

- 1) Job Creation - information on new employment that will result occur in the Enterprise Zone as a result of the investment, which includes by job title(s), the number of current and new employees, the starting date of new employees and an explanation of how and why the investment causes additional employment, both inside and outside of the Enterprise Zone; or

2) Job Retention - information on the full-time jobs that have been retained in an Enterprise Zone as a result of the investment, which includes, by job title(s), the number of employees in and outside the Enterprise Zone.

3) Applicants utilizing the job creation criterion for eligibility for the exemption must actually employ 200 full-time equivalent employees prior to certification for this exemption.

4) Applicants are encouraged to submit applications to the Department prior to the actual creation of 200 full-time equivalent jobs. The Department will conditionally approve the application subject to the requirements of Section 520.1010 being met.

c) Audit - an examination by public accountants certified by the State of Illinois, in accordance with generally accepted accounting practices, containing the unqualified opinion of such public accountants that the minimum eligible investments have been made and the minimum jobs have been created or retained.

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e)d) Certification - a signed and dated statement indicating that data and information in the application is correct; the Department will be provided access to any material, documentation or other data required to verify application information, and a statement that the number of jobs created or retained shall be maintained for the term of exemption, otherwise the Department will be notified and the exemption terminated.

(Source: Amended at 17 Ill. Reg. 1837, effective February 1, 1993)

Section 520.1030 Application and Approval Process

a) Applications shall be submitted to the Department, which shall approve or deny the application in writing within 90 days of receipt. The application shall be approved if it meets the requirements of Section 520.1010 and 520.1020 utilizing one of the two following options:

- 1) The applicant has substantiated, in accordance with Section 520.1020(a), that the eligible investments in qualified property have been placed in service; or
- 2) The applicant has not placed in service in qualified property the eligible investments. However, a spending plan and financial commitments for the proposed eligible investment have been submitted. The spending plan must include a detailed "project by project" description, as well as the estimated eligible investment for each specific project. The spending plan must further include the date when the eligible investment in each project will be placed in service. The applicant's financial commitments must include the sources of financing for the project. Should the applicant choose to follow this option, it must sign a written agreement with the Department obligating the business to place in service the eligible investments in qualified property within twelve (12) months after certification pursuant to this Section. Should the business fail to place in service the eligible investments in qualified property within twelve months after certification pursuant to this Section, the business shall be decertified for the tax exemption and required to repay the exempted taxes. Should the business place in service the eligible investments subsequent to this decertification, the business may reapply to the Department for recertification. However, this reapplication must utilize the procedures set forth in subsection (a)(1) of this Section, and contain the same information as required pursuant to Section 520.1020.
- b) When the Department denies an application, it shall specify in writing the reasons for denial and allow the applicant 15 days from the date of application denial to amend and resubmit the application. Resubmitted applications shall be approved or denied in writing within 15 days of receipt.
- c) Applicants determined eligible by the Department, in accordance with

subsection (a)(1), shall be issued a Certificate of Exemption. The exemption shall take effect 6 months after certification.

d) Applicants determined eligible by the Department, in accordance with subsection (a)(2), will be issued a Certificate of Exemption twelve months prior to the eligible investments in qualified property being placed in service as set forth in the applicant's spending plan submitted pursuant to this Section.

e) Businesses approved in accordance with subsection (a)(1) shall furnish to the Department not later than 90 days after the Certificate of Exemption has been issued, and businesses approved in accordance with subsection (a)(2) shall furnish to the Department not later than 90 days after the eligible investments in qualified property, as defined in Section 520.1000 of this Part, have been placed in service financial statements of the business examined by public accountants certified by the State of Illinois, in accordance with generally accepted accounting practices, containing the unqualified opinion of such public accountants that the investments in qualified property have been placed in service, in addition, the Department shall have the right to inspect and conduct its own audit of all books and records relied upon by the business to demonstrate that the eligible investments in qualified property have been placed in service. Certified businesses shall also submit information annually to the Department documenting the maintenance of the minimum job creation or job retention criterion. Certified businesses who fail to comply with this subsection shall be decertified for the tax exemption and shall repay the exempted taxes. The jobs created or retained must be documented through personnel records.

f) All certified businesses will receive a 100 percent state utility tax exemption for a period of five years.

g) At the expiration of this initial five year period, certified businesses may apply to the Department for renewals of the exemption for additional five-year time periods. The Department shall grant an exemption to a certified business for an additional five year period at one hundred percent of state utility taxes provided that at the time of application for renewal:

- 1) In the case of a business certified pursuant to the job creation criterion of Section 520.1010, such business has retained a minimum of 200 full-time equivalent jobs in Illinois; or in the case of a business certified pursuant to the job retention criterion of Section 520.1010, such business has retained a minimum of 1,000 full-time jobs in Illinois. A majority of the "jobs retained" must be in the Enterprise Zone in which the eligible investment is made.
- 2) Such business is located in an Enterprise Zone established pursuant to the Illinois Enterprise Zone Act (Ill. Rev. Stat. 1987 1991, ch. 67 1/2, pars. 601 et seq.).
- 3) Such business provides an audited Financial Statement, including balance sheets and income statements, audited according to generally accepted auditing standards by a public accountant

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certified in the State of Illinois. In addition, the firm's chief financial officer shall attest in writing that the firm is not aware of a condition or occurrence which would result in bankruptcy or closure.

- 4) The total period of the exemption from the taxes imposed under the Act shall not exceed 20 years.

(Source: Amended at 17 Ill. Reg. 1837, effective February 1, 1993)

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Dual Party Relay Service
- 2) Code Citation: 83 Ill. Adm. Code 756
- 3) Section Numbers: Adopted Action:
756.210 Amendment
- 4) Statutory Authority: Implementing Section 13-703 and authorized by Section 10-101 of the Public Utilities Act (Ill. Rev. Stat. 1991, ch. 111 2/3, pars. 13-703 and 10-101)[220 ILCS 5/13-703 and 10-101].
- 5) Effective Date of Amendment: February 1, 1993
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: January 27, 1993
- 9) Notice of Proposal Published in Illinois Register:
September 18, 1992, at 16 Ill. Reg. 14004.
- 10) Has JCAR issued a Statement of Objections to this amendment? No.
- 11) Difference(s) between proposal and final version: None.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? None required.
- 13) Will this amendment replace an emergency amendment currently in effect? Yes.
- 14) Are there any amendments pending on this Part? Yes.

Section Number	Proposed Action	Illinois Register Citation	
756.10	Amendment	16 Ill. Reg.	15605
756.15	Amendment	16 Ill. Reg.	15605
756.20	Amendment	16 Ill. Reg.	15605
756.100	Amendment	16 Ill. Reg.	15605

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

Section Number	Proposed Action	Illinois Register Citation
756.110	Amendment	16 Ill. Reg. 15605
756.115	Amendment	16 Ill. Reg. 15605
756.120	Amendment	16 Ill. Reg. 15605
756.200	Amendment	16 Ill. Reg. 15605
756.210	Amendment	16 Ill. Reg. 15605
756.220	Amendment	16 Ill. Reg. 15605
756.300	Amendment	16 Ill. Reg. 15605

- 15) Summary and Purpose of Amendment: The amendment specifically allows the operators of the relay system to reveal certain information as required or permitted by law. This is designed to facilitate the "trap and trace" method for the identification of harassing telephone calls using the relay system.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Conrad Rubinkowski
Illinois Commerce Commission
527 East Capitol Avenue
P.O. Box 19280
Springfield, IL 62794-9280
(217)785-8439

The full text of the Adopted Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIES

PART 756
DUAL PARTY RELAY SERVICE

SUBPART A: GENERAL PROVISIONS

Section	Definitions
756.10	Dispute Procedures
756.15	Notice
756.20	

SUBPART B: LEC OBLIGATIONS

Section	Components of Relay Service
756.100	Relay Service Execution and Administration
756.105	Publicity Concerning Relay Service
756.110	System Provider Selection Process
756.115	System Provider Interactions
756.120	Filing Requirements
756.125	

SUBPART C: RELAY SERVICE PROGRAM STANDARDS AND SPECIFICATIONS

Section	Relay Service General Quality Standards
756.200	Relay Service Operations and Specifications
756.205	Relay Service Operator Standards
756.210	System Provider Reporting Requirements
756.215	Relay Service Billing and Collection Procedures
756.220	Relay Service Revenues
756.225	

SUBPART D: OVERSIGHT AND REVIEW

Section	Staff Liaison
756.300	Advisory Council Rights
756.305	Biannual Workshop
756.310	

AUTHORITY: Implementing Section 13-703 and authorized by Section 10-101 of the Public Utilities Act (Ill. Rev. Stat. 1991, ch. 111 2/3, pars. 13-703 and 10-101)[220 ILCS 5/13-703 and 10-101].

SOURCE: Adopted at 12 Ill. Reg. 17321, effective October 15, 1988; amended at 15 Ill. Reg. 5618, effective April 15, 1991; emergency amendment at 16 Ill. Reg. 14470, effective September 3, 1992, for

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NOTICE OF ADOPTED AMENDMENT

a maximum of 150 days; amended at 17 Ill. Reg. 1848 , effective February 1, 1993.

SUBPART C: RELAY SERVICE PROGRAM STANDARDS AND SPECIFICATIONS

Section 756.210 Relay Service Operator Standards

- a) Each relay system operator shall be trained to be familiar with the special communications needs of persons who are hearing-impaired. The system provider shall request such training from organizations with prior experience in the provision of services to the hearing-impaired community.
- b) Relay system operators shall keep all communicated information strictly confidential, except as otherwise required or permitted by law.
 - 1) Except for purposes of billing calls and as otherwise required or permitted by law, operators shall not reveal information about any call, including the fact that the call occurred.
 - 2) When training new operators by the method of sharing past experiences, the trainers shall not reveal any of the following information:
 - A) Names, genders, or ages of the parties to the call;
 - B) Originating or terminating points of call; and
 - C) Specifics of the information conveyed in the call.
- c) Relay system operators shall convey the full content, context, and intent of the communications they translate, using language most readily understood by the person receiving the information.
- d) Relay system operators shall not counsel, advise or interject personal opinions or additional information into any communication which they are translating.
- e) Relay system operators shall be available to accept calls in English and the written syntax of American Sign Language.

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NOTICE OF ADOPTED AMENDMENT

- f) If requested by the originating caller, relay system operators shall attempt to complete calls 3 times, consecutively, without delay when receiving busy signals.
- g) Any paper printouts made at a relay center of communications conducted over the relay service shall be destroyed within 4 hours of the conclusion of the communications, except as otherwise required or permitted by law.
- h) No relay system operator shall disconnect a call against the wishes of the originating and terminating parties without first obtaining the permission of the relay system operator's supervisor. In the instance that a call is terminated, the supervisor shall log the reason for the termination and sign the log. The supervisor shall authorize such disconnections only in instances in which the caller is abusive to or intentionally uncooperative with the relay system operator.
- i) All relay service operator-handled calls shall be carefully supervised. Disconnects shall be made promptly at the end of each call.
- j) Upon receiving an emergency call from a TDD user, a relay system operator shall attempt to complete the call to a Public Safety Answering Point number which the caller supplied and which can be directly accessed by the relay system operator.

(Source: 1993)

Amended at 17 Ill. Reg. 1848 , effective February 1,

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- 1) The Heading of the Part: Administration of the Illinois Public Community College Act
- 2) Code Citation: 23 Ill. Adm. Code 1501
- 3) Section Numbers: Adopted Action:
1501.518 new section
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 122, par. 103-46.1
- 5) Effective Date of Amendments: February 2, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: January 15, 1993
- 9) Notice of Proposal Published in Illinois Register:
August 7, 1992 16 Ill. Reg. 12274
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: No substantive changes were made; only minor editorial changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this part? No

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- 15) Summary and Purpose of Amendments:
Public Act 87-741 provides authority for community college boards of trustees to use the Comptroller's collection system to collect debts which they have been unable to recover through standard collection processes. The adopted rules specify the process that boards of trustees must follow to certify uncollectible debts to the Illinois Community College Board.
- 16) Information and questions regarding these adopted amendments shall be directed to:
Christine Merrifield
Deputy Director for Governmental Relations
Illinois Community College Board
509 South Sixth Street, Room 400
Springfield, Illinois 62701-1874
Telephone: (217) 785-0085

The full text of the Adopted Amendments begins on the next page:

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section	
1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption (Recodified)
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request (Recodified)
1501.108	Organization of ICCB (Recodified)
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements (Repealed)
1501.112	Certification of Organization (Repealed)
1501.113	Administration of Detachments and Subsequent Annexations
1501.114	Recognition

SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section	
1501.201	Reporting Requirements
1501.202	Certification of Organization
1501.203	Delineation of Responsibilities
1501.204	Maintenance of Documents or Information
1501.205	Recognition Standards (Repealed)

SUBPART C: PROGRAMS

Section	
1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Statewide and Regional Planning
1501.305	College, Branch, Campus, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements
1501.309	Course Classification and Applicability

SUBPART D: STUDENTS

ILLINOIS COMMUNITY COLLEGE BOARD

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Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

SUBPART E: FINANCE

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Non-Resident Student Tuition Calculations
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Special Populations Grants
1501.509	Workforce Preparation Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Grants
1501.516	Repair and Renovation Grants
1501.517	Retirees Health Insurance Grants
1501.518	Uncollectible Debts

SUBPART F: CAPITAL PROJECTS

Section	
1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.3.01 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act
1501.610	Demolition of Facilities

SUBPART G: STATE COMMUNITY COLLEGE

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition
1501.704	Programs

ILLINOIS COMMUNITY COLLEGE BOARD

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1501.705 Finance
1501.706 Personnel
1501.707 Facilities

SUBPART H: PERSONNEL

Section
1501.801 Definition of Terms
1501.802 Sabbatical Leaves

AUTHORITY: Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act (Ill. Rev. Stat. 1991, ch. 122, pars. 102-1 et seq., pars. 103-1 et seq., and par. 106-5.3)

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; emergency amendment at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993.

SUBPART E: FINANCE

Section 1501.518 Uncollectible Debts

- a) In order to access the State Comptroller for the collection of debts owed a community college, the board of trustees shall maintain documentation of each debtor's debt in a separate file which shall be available for inspection by the ICCB or the Comptroller of the State of Illinois. Only debts in excess of \$150 may be submitted for

ILLINOIS COMMUNITY COLLEGE BOARD

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collection.

b) Each debtor's file shall be maintained for a period of five years and shall include:

- 1) A description of the cause for the debt;
- 2) Correspondence concerning attempts to collect the debt locally;
- 3) Evidence of an opportunity for a hearing and review of the debt and the final outcome of such hearing and review.

c) Claims shall be submitted on forms and in the format prescribed by the ICCB.

d) The board of trustees shall submit a claim to the State of Illinois only after exhausting local options for collection of the debt.

e) The board of trustees shall give the debtor due process in accordance with the Illinois State Collection Act of 1986 (Ill. Rev. Stat. 1991, ch. 15, pars. 151 et seq.).

f) Any debtor scheduled to make repayments, who is not yet delinquent or who currently is making periodic payments to reduce a debt, shall not be submitted to the State for collection.

g) The board of trustees shall approve the debt to be submitted for collection.

h) The Executive Director of the ICCB is authorized to accept claims from the boards of trustees for collection. ICCB acceptance of claims is made when claims are submitted to the Comptroller of the State of Illinois. The board of trustees will be notified of acceptance or nonacceptance of the claims by the ICCB.

(Source: Added at 17 Ill. Reg. 1853, effective February 2, 1993)

ILLINOIS DEVELOPMENT FINANCE AUTHORITY

NOTICE OF ADOPTED RULES

1) Heading of the Part: Employee Ownership Assistance Program

2) Code Citation: 14 Ill. Adm. Code 1230

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1230.100	New Section
1230.110	New Section
1230.200	New Section
1230.210	New Section
1230.300	New Section
1230.310	New Section
1230.400	New Section
1230.500	New Section
1230.510	New Section
1230.520	New Section
1230.530	New Section
1230.540	New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch.48, par.850.06(e)

5) Effective Date of Rule: February 1, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule contain incorporation by reference? No

8) Date Filed in Agency's Principal Office: February 1, 1993

9) Notice of Proposal Published in Illinois Register:
June 19, 1992, 16 Ill. Reg.9222

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version:

1. Definitions in Section 1230.110 are repeated from the statute are placed in italics and references to the Act sections are included.

2. Periods are added at the end of several definitions.

ILLINOIS DEVELOPMENT FINANCE AUTHORITY

NOTICE OF ADOPTED RULES

3. Section 1230.210 (c) (4) and new (7) (all subsequent paragraphs following new (7) to be re-numbered accordingly):

4) The names and addresses of shareholders holding more than 10% of stock in the plant and/or all general partners if the plant is a partnership (this requirement includes ownership of the plant at the time of application and ownership of the purchasing group); personal financial statements of anyone owning more than 20% of the stock in the company;

7) Projected financial information should include balance sheets, profit and loss statements and a monthly cash flow statement for three (3) years.

Section 1230.210 (c) (12) (to be changed to (13) after re-numbering):

12) The source and use of the funds to be provided by the funding partners;

4. Section 1230.510(a)(1) added "than is statutorily required" to the subsection.

5. Section 1230.510(a)(4) added a period at the end of the sentence.

6. Section 1230.540 deleted the word "if" after "(30) days" and insert the word "after".

7. In Sections 1230.100, 1230.500(a), 1230.520(a) and 1230.530(a), the words "these rules" were deleted and the words "this part" were inserted.

8. In Section 1230.200 the words "of 1986 as amended" were deleted from the end of the section.

9. The word "meeting" was pluralized in the plural "Open Meetings Act" in section 1230.400.

10. In Section 1230.510(a) the "s" in "sections" was capitalized.

ILLINOIS DEVELOPMENT FINANCE AUTHORITY

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11. In Section 1230.10(c)(6) the word "sufficient" was deleted.
12. Insert the phrase "the owner(s) of the plant," in the definition of "funding partner" in Section 1230.110 in regular face type.
- 13) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes
- 13) Will this rule replace an emergency rule currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: The proposed rules implement the provisions of the Employee Ownership Assistance Act and clarify the statutory responsibility of the Authority in administering the Employee Ownership Assistance Program in conjunction with the Department of Commerce and Community Affairs and the Employee-Owned Enterprise Advisory Council. Most significantly, the rules specify the principal goals of the program, the eligible applicants for the program loan and grant funds, and the application process. In addition, the rules delineated the criteria used by the staff and the Board of Directors of the Authority to review loan and grant application. Lastly, the appeal procedures available to applicants outlined.

16) Information and questions regarding this adopted rule:

Name: Philip S. Howe, General Counsel
Address: 300 West Edwards - Suite 202
Springfield, Illinois 62704
Phone: 217-524-1567

The full text of the Adopted Rules begin on the next page:

ILLINOIS DEVELOPMENT FINANCE AUTHORITY

NOTICE OF ADOPTED RULES

TITLE 14: COMMERCE
SUBTITLE C: ECONOMIC DEVELOPMENT
CHAPTER III: ILLINOIS DEVELOPMENT FINANCE AUTHORITY
PART 1230
EMPLOYEE OWNERSHIP ASSISTANCE PROGRAM
SUBPART A: PURPOSE AND DEFINITIONS

Section
1230.100
1230.110
Summary and Purpose
Definitions

SUBPART B: APPLICATION PROCEDURES

Section
1230.200
1230.210
Eligible Applicants
Application Requirements

SUBPART C: GRANTS

Section
1230.300
1230.310
Eligible Grantees
Selection Criteria

SUBPART D: DEADLINES

Section
1230.400
Application and Grants

SUBPART E: APPLICATION APPROVAL PROCEDURES

Section
1230.500
1230.510
1230.520
1230.530
1230.540
Staff Review
General Criteria for Selection
Authority Decision
Council Decision
Appeal

AUTHORITY: Implementing the Employee Ownership Assistance Act (Ill. Rev. Stat. 1991, ch. 48, par. 1301 et seq.) and authorized by Section 6(e) of the Illinois Development Finance Authority Act (Ill. Rev. Stat. 1991, ch. 48, par. 850.06(e)) and Section 4 of the Employee Ownership Assistance Act (Ill. Rev. Stat. 1991, ch. 48, par. 1304).

SOURCE: Adopted at 17 Ill. Reg. 1859, effective February 1, 1993.

SUBPART A: PURPOSE AND DEFINITIONS

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Section 1230.100 Summary and Purpose

"The Employee Ownership Assistance Program provides financial and technical assistance to employee ownership associations to purchase existing industrial or manufacturing plants located in the State of Illinois which are determined to be viable businesses and which would otherwise be closed or moved out of the State. The program also provides grants to employee groups to conduct feasibility studies. The program's principal goals are the enhancement of job opportunities and the retention of jobs. The program is administered by three separate entities: the Department of Commerce and Community Affairs, the Employee-Owned Enterprise Advisory Council, and the Illinois Development Finance Authority. The primary purpose of this Part is to advise the public as to the manner of interaction between these three entities and to clarify the exclusive responsibilities of the Illinois Development Finance Authority under the Act. Loans under the program must be approved by the majority vote of both the Board of Directors of the Authority and the members of the Advisory Council. The terms and conditions of the loan are established by the Authority within the parameters of the Act. The Authority is also authorized to make grants to employee groups to conduct feasibility studies. The Department has the primary responsibility of analysis of loan applications, technical assistance to applicants and assisting the Advisory Council.

Section 1230.110 Definitions

"Act" means the Employee Ownership Assistance Act (Ill. Rev. Stat. 1991, ch. 48, par. 1301 et seq.).

"Agreement" means an *Employee Ownership Assistance Loan Agreement* made pursuant to the Act (Section 3 of the Act).

"Application" means an application for Employee Ownership Assistance Loan available from the Authority.

"Authority" means the *Illinois Development Finance Authority* (Section 3 of the Act).

"Board" means the Board of Directors of the Authority.

"Code" means the Internal Revenue Code of 1986, as amended, codified in Title 26, United States Code.

"Council" means the *Employee-Owned Enterprise Advisory Council* (Section 3 of the Act).

"Department" means the *Department of Commerce and Community Affairs* (Section 3 of the Act).

"Employee group" means three or more employees of an industrial or manufacturing plant located in this State, the majority of which are

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nonmanagerial employees of such plant.

"Employee-owned enterprise" means a business controlled, and at least 51% owned, by its employees (Section 3 of the Act).

"Employee ownership association" means a corporation or other association formed by or on behalf of the employees of an industrial or manufacturing plant located in this State for the purpose of assuming ownership or control of the plant and operating it as an employee-owned enterprise (Section 3 of the Act).

"Financing Commitment" means a letter, agreement or other document from a bank, underwriter or placement agent stating the aggregate principal amount of the financing, the maximum interest rate or interest rate formula, the terms of the financing, the security requirements which apply to the financing and that the parties are prepared to execute the documents pertaining to the financing in their present form.

"Funding partner" means an entity which singly or in combination with other entities has agreed to finance not less than 50% of the project cost of an eligible project, and may include the owner(s) of the plant, the employee ownership association undertaking the project, as well as, any other governmental or financial entity (Section 3 of the Act).

"Industrial Project" means a project for financing under the Act which is used in manufacturing, processing, assembling, packaging, or otherwise altering or changing raw materials or other component parts; or warehouses, offices or other facilities used in support of the foregoing.

"Plant" includes the site, structure, building and equipment and all real and personal property in connection therewith, including planned expansions, renovations, and new equipment, and may include any railroad, or utility or equipment appertinent thereto. (Section 3 of the Act)

"Project" means the project proposed by or on behalf of an employee ownership association in an application.

"Project cost" includes all reasonable and necessary costs to be incurred in the course of an eligible project, including any anticipated acquisition, construction, land acquisition, improvements, equipment, pertinent rights and easements, and associated technical, engineering, legal and financial services (Section 3 of the Act).

SUBPART B: APPLICATION PROCEDURES

ILLINOIS DEVELOPMENT FINANCE AUTHORITY

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Section 1230.200 Eligible Applicants

Applications for loans under this program must be submitted by or on behalf of an employee ownership association. There is no specific organizational structure required for an employee ownership association by the Act or by the Authority, the Council, or the Department; however, loans may only be made to employee ownership associations which qualify for special tax treatment as an employee stock ownership plan (ESOP) under the Internal Revenue Code.

Section 1230.210 Application Requirements

- a) The Authority will provide the application and descriptive information concerning the Employee Ownership Assistance Loan to any interested individuals, employee ownership associations, or employee groups. Any individuals, associations, or employee groups contacting the Council or the Department concerning the loan program will be directed to the Authority in order to assure that all persons inquiring about the program receive the same information.
- b) A project number will be assigned to each completed application when the application is received by the Authority. The project number assigned to each application should be used in all correspondence and other contacts with the Authority.
- c) Each application must include:
 - 1) The organizational form, history and membership of the employee ownership association;
 - 2) The history and circumstances of the plant to be acquired;
 - 3) The federal tax identification of the plant to be acquired;
 - 4) The names and addresses of shareholders holding more than 10% of stock in the plant and/or all general partners, if the plant is a partnership (this requirement includes ownership of the plant at the time of application and ownership of the purchasing group), and personal financial statements of anyone owning more than 20% of the stock in the company;
 - 5) A comparative summary balance sheet and a profit and loss statement for the plant for the previous three (3) years;
 - 6) Financial and marketing projections and analyses to allow the evaluation of the continued economic viability of the project;
 - 7) Projected financial information should include balance sheets, profit and loss statements and a monthly cash flow statement for three (3) years;
 - 8) An estimate of the number of jobs to be saved or created by the project, including the number of construction jobs created, and their duration, if any;
 - 9) Total anticipated project cost;
 - 10) The identity of all funding partners;
 - 11) A letter of interest or intent from potential funding partners that demonstrates that their combined interest or intent is to provide financing for at least 50% of the anticipated project cost;

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- 12) The terms of the financing agreements with the funding partners, including any repayment schedules and finance charged to be included in such agreements;
- 13) The source and use of the funds to be provided by the funding partners;
- 14) A description of other sources and amounts of working capital available to the applicant, including lines of credit;
- 15) A listing of the names, positions, percent ownership and employment starting date, if any, of persons to be responsible for the management of the project;
- 16) Sales and earning projections for a three (3) year period. Provide explanatory footnotes describing the assumptions used in forecasting income and expenses. Debt service expenses should be separated by lending source, and method of depreciation must be noted;
- 17) A complete description of the project including its proposed location, street address, legal description, elements of the project (such as land acquisition, building construction, renovation, equipment purchases and installation), estimated project commencement and completion dates and information on tenants, if any, to whom any portion or portions of the project may be leased; and a copy of any real estate sales contract and/or any lease agreement pertaining to the project;
- 18) A description of the products to be produced at the project's facility;
- 19) A description of the machinery and equipment to be acquired with proceeds of the Employee Ownership Assistance Loan, including acquisition lead time, the cost of the equipment and whether equipment is new or used;
- 20) Site improvements existing on the land (e.g., parking lots, driveways, landscaping);
- 21) A summary of project costs including a breakdown of project expenditures, the total costs of project elements, and the sources of funds for payment of such costs including sources other than Employee Ownership Assistance Loan proceeds; evidence of construction and/or renovation cost estimates provided by an architect, which may be in the form of a letter from the estimator;
- 22) An appraisal, other than applicant's or current owner's unaided appraisal, at fair market value and at "distressed" value of any land, building or equipment to be acquired, and a stock valuation appraisal of the existing corporation;
- 23) A statement regarding the environmental effect of the project on the community, such as increased traffic, generation of hazardous waste and general effect on the quality of life;
- 24) The names, addresses and telephone numbers of the applicant's general counsel, accountant, and consultant, if any; and
- 25) List of the United States Congressional and the Illinois House of Representatives and Senate Districts in which the project is

ILLINOIS DEVELOPMENT FINANCE AUTHORITY

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located.

SUBPART C: GRANTS

Section 1230.300 Eligible Grantees

Employee groups who are considering establishing an employee-owned enterprise may apply to the Authority for a grant to finance a feasibility study of an industrial or manufacturing plant which has or is about to cease operations or be relocated.

Section 1230.310 Selection Criteria

- a) The Authority will make grants only to employee groups for costs associated with conducting a feasibility study, the primary purpose of which must be to ascertain whether and in what manner the plant could produce a marketable product at a profitable price or to study and suggest alternative products or uses for the facility.
- b) The applicants for the feasibility study grants must show the effect upon the local economy (e.g., the number of jobs involved or the percent of the local labor force) of the industrial or manufacturing plant which will be the subject of the feasibility study. Employee groups applying for a grant must explain the circumstances and need for such assistance and the significance of the plant within the community. Employee groups must obtain and document the support of their local municipality. Grants will be made only if funds are available. A decision by the Board is final and binding.

SUBPART D: DEADLINES

Section 1230.400 Application and Grants

Completed applications and requests for grants must be submitted to the Authority no later than the third (3rd) Wednesday of the month preceding the Board's regularly scheduled monthly meeting. If the loan application or grant request is filed after the third (3rd) Wednesday of the month preceding the Board's regularly scheduled monthly meeting, it will be scheduled for the next Board meeting. The Council will schedule a meeting within twenty-one days after a meeting of the Board at which an application has been approved. Notice of the time and place of all meetings of the Board and the Council will be published in accordance with the Illinois Open Meetings Act (Ill. Rev. Stat. 1991, ch. 102, par. 41 et seq.).

SUBPART E: APPLICATION APPROVAL PROCEDURES

Section 1230.500 Staff Review

- a) The staff of the Authority will review each completed application and place it on the agenda for consideration by the Board. The staff will

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make a recommendation for Board action with respect to each application based upon the criteria set forth in Section 1230.510 of this Part. The recommendations of the staff are not binding on the Board.

- b) The Authority will transmit a completed copy of the application to the Department for its review and analysis. The Department will analyze the application for purposes of a recommendation to the Council. The recommendation of the Department is not binding on the Council or the Authority.
- c) The Department and the staff of the Authority will recommend favorable consideration based upon analysis of financial statements and pro forma projections, in terms of the liquidity ratios, leverage ratios, activity ratios and profitability ratios, that the loan will be repaid, that the financial projections can be attained and that the project will succeed.

Section 1230.510 General Criteria for Selection

- a) The Authority is required to consider only the information which is stated in, and materials provided with, a completed application submitted to the Authority. The application will be analyzed to determine the likelihood (more probable than not) that a loan made under the program will be repaid, and whether the project meets the criteria established by Sections 7 and 8 of the Act. In approving, applications for loans under the Act, the Authority and the Council shall take into account the following selection criteria, giving preference to projects which meet the criteria stated in subsections (a)(1)-(4) below:

- 1) The project has higher levels of funding from the funding partners than is statutorily required (no loan shall be made for any project not at least 50% funded by funding partners);
 - 2) The project has the most direct effect on local economic development and the creation or retention of employment opportunities;
 - 3) The project is most likely (more probable than not) to stimulate other private sector investment;
 - 4) The project is not speculative, and provides significant assurance of repayment of the loan.
- b) The financial responsibility of the applicant and entity(ies) occupying the project if different from the applicant, including:
 - 1) The readiness of the project to proceed;
 - 2) The nature of the commitment of the proposed private lender or funding partner for the project; and
 - 3) The likelihood that the project would not proceed without the benefit of the Employee Ownership Assistance Loan.
 - c) The viability of the industrial or manufacturing plant to produce a competitive product at a profitable cost.
 - d) The reasonable market value of the land, building, equipment, and production facilities which will be offered as security for the loan.

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- e) The extent to which the facilities and the products are in compliance with other state and federal laws, particularly those relating to environmental quality and worker health safety.

Section 1230.520 Authority Decision

- a) Each member of the Board shall utilize his or her best judgment in determining whether a project has demonstrated that it has exhausted all other reasonable avenues of funding the project and whether the analysis sufficiently demonstrates a reasonable likelihood of success of the project and an ability to repay the loan if made, considering the selection criteria set forth in Section 1230.510 of this Part and the normal business and financial risks faced by any new enterprise.
- b) The Board shall determine the type of security for the loan which may be necessary to protect the loan against a loan default possibility. This determination shall be made after reviewing the application, looking at recommendations of the staff and ensuring the criteria of Sections 1230.510 (a) through (e) of this Part are satisfied. Each member of the Board shall vote in favor of the project loan only if satisfied that the project meets the objectives of the Act in retaining jobs and viable manufacturing activity within the State.
- c) The loan will be approved by the Board only upon the affirmative vote of eight of its members.

Section 1230.530 Council Decision

- a) Each member of the Council shall utilize his or her best judgment in determining whether:
- 1) a project has demonstrated that it has exhausted all other reasonable avenues of funding for the project,
 - 2) the analysis sufficiently demonstrates a reasonable likelihood of success of the project and an ability to repay the loan if made, considering the selection criteria set forth in Section 1230.510 of this Part and the normal business and financial risks faced by any new enterprise.
- b) Each member of the Council shall use his or her best judgment to determine the type of security for the loan that may be necessary in order to protect the loan against the possibility of financial loss through default. Each member of the Council shall vote in favor of the project loan only if satisfied that the project meets the objectives of the Act in retaining jobs and viable manufacturing activity within the State.
- c) The loan will be approved by the Council only upon the affirmative vote of a majority of its members.

Section 1230.540 Appeal

Any applicant whose project has not been approved by the Council may appeal the decision by submitting in writing a request to the Lieutenant Governor acting

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in the capacity of Chairman of the Council. The request for appeal must be filed within thirty (30) days after the vote rejecting the project and should contain such reasoned arguments and such additional documentation as the applicant believes is appropriate to persuade the Council to reverse its prior determination. Upon receipt of such request for appeal the Council shall consider the appeal at its next meeting, not later than 90 days, and shall advise the applicant of its decision on appeal within 10 days after such meeting. A decision by the Board is final and binding.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Existing Activities In A Setback Zone or Regulated Recharge Area
- 2) Code Citation: 35 Ill. Adm. Code 615
- 3) Section Numbers: Adopted Action:
615.105 Amended
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022 and 1027.
- 5) Effective Date of Rule: January 28, 1993
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Does this Rule contain incorporations by reference? No
- 8) Date filed in Board's Principal Office: January 21, 1993
- 9) Notice of Proposal Published in Illinois Register:
October 30, 1992, 16 Ill. Reg. 16465-16472, Issue 44
- 10) Has JCAR issued a Statement of Objections to these rules?
No
- 11) Differences between proposal and final version:
The language "or has filed a written certification of intent pursuant to Section 14.6 of the Act ON THE APPROPRIATE LICENSE OR RENEWAL APPLICATION FORM SUBMITTED TO THE DEPARTMENT OF AGRICULTURE OR OTHER APPROPRIATE AGENCY" was added.
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes. The agreements involve possible future actions and will be implemented as agreed to.
- 13) Will this Rule replace an emergency Rule currently in effect? No
- 14) Are there any other amendments pending on this Part? No

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Rule:

On September 15, 1992, Governor Edgar signed Senate Bill 1750 (Public Act 87-1108) into law. This Act amends the Illinois Environmental Protection Act to provide an alternative groundwater protection program for certain agricultural facilities currently subject to 35 Ill. Adm. Code for 615. The purpose of the instant rulemaking is to conform the Part 615 regulations with P.A. 87-1108.

The current Part 615 rules regulate existing agricultural facilities that are located within setback zones of potable water wells, with an effective compliance date of January 1, 1993. Under the provisions of PA 87-1108 facilities may elect to opt out of the Part 615 program and instead participate in an alternative groundwater protection program to be administered by the Illinois Department of Agriculture.

An opinion and order of the Board is available from the Board at (312) 814-3620. Please refer to R92-20 when requesting copies.

16) Information and questions regarding this adopted rule shall be directed to:

Michelle C. Dresdow
Illinois Pollution Control Board
P.O. Box 505
Dekalb, IL 60115
(815) 753-0947

Please refer to docket R92-20 when making inquiries.

The full text of the Adopted Rule begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE F: PUBLIC WATER SUPPLIES
 CHAPTER I: POLLUTION CONTROL BOARD

PART 615

EXISTING ACTIVITIES IN A SETBACK ZONE OR REGULATED RECHARGE AREA

SUBPART A: GENERAL

Section
 615.101
 615.102
 615.103
 615.104
 615.105

Purpose

Definitions
 Incorporations by Reference
 Prohibitions
 General Exceptions

SUBPART B: GROUNDWATER MONITORING REQUIREMENTS

Section
 615.201
 615.202
 615.203
 615.204
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 615.206
 615.207
 615.208
 615.209
 615.210
 615.211

Applicability

Compliance Period
 Compliance with Groundwater Standards
 Groundwater Monitoring System
 Groundwater Monitoring Program
 Contaminants to be Monitored
 Sampling Frequency
 Reporting
 Non-Compliance Response Program
 Alternate Non-Compliance Response Program
 Corrective Action Program

SUBPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS

Section
 615.301
 615.302
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 615.305
 615.306
 615.307

Applicability

Closure Performance Standard
 Certification of Closure
 Survey Plat
 Post-Closure Notice for Waste Disposal Units
 Certification of Completion of Post-Closure Care
 Post-Closure Care Period

SUBPART D: ON-SITE LANDFILLS

Section
 615.401
 615.402

Applicability

Required Closure of Units Located Within Minimum
 Setback Zones

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615.403 Required Closure of Units Located Within Maximum
 Setback Zones
 615.404 Required Closure of Units Located Within Regulated
 Recharge Areas

SUBPART E: ON-SITE LAND TREATMENT UNITS

Section
 615.421
 615.422
 615.423
 615.424
 615.425

Applicability

Required Closure of Units Located Within Minimum
 Setback Zones
 Required Closure of Units Located Within Maximum
 Setback Zones
 Land Treatment of Sludges in Maximum Setback Zones
 Closure and Post-Closure Care

SUBPART F: ON-SITE SURFACE IMPOUNDMENTS

Section
 615.441
 615.442
 615.443
 615.444
 615.445
 615.446
 615.447

Applicability

Required Closure of Units Located Within Minimum
 Setback Zones
 Required Closure of Units Located Within Maximum
 Setback Zones
 Groundwater Monitoring
 Inspection Requirements
 Operating Requirements
 Closure and Post-Closure Care

SUBPART G: ON-SITE WASTE PILES

Section
 615.461
 615.462
 615.463
 615.464

Applicability

Required Closure
 Design and Operating Requirements
 Closure

SUBPART H: UNDERGROUND STORAGE TANKS

Section
 615.501
 615.502

Applicability

Design and Operating Requirements

SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS

Section
 615.601

Applicability

POLLUTION CONTROL BOARD

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615.602 Groundwater Monitoring
 615.603 Design and Operating Requirements
 615.604 Closure and Post-Closure Care

SUBPART J: FERTILIZER STORAGE AND HANDLING UNITS

Section
 615.621 Applicability
 615.622 Groundwater Monitoring
 615.623 Design and Operating Requirements
 615.624 Closure and Post-Closure Care

SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS

Section
 615.701 Applicability
 615.702 Required Closure of Units Located Within Minimum
 Setback Zones
 615.703 Groundwater Monitoring
 615.704 Design and Operating Requirements for Above-Ground
 Storage Tanks
 615.705 Closure

SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS

Section
 615.721 Applicability
 615.722 Groundwater Monitoring
 615.723 Design and Operating Requirements
 615.724 Closure

AUTHORITY: Implementing Sections 5, 14.4, 21, and 22, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022, and 1027).

SOURCE: Adopted in R89-5 at 16 Ill. Reg. 1538, effective January 10, 1992; amended in R92-20 at 17 Ill. Reg. 1871 effective January 28, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART A: GENERAL

Section 615.105 General Exceptions

- a) This Part does not apply to any facility or unit, or to

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- the owner or operator of any facility or unit:
- 1) For which the owner or operator obtains certification of minimal hazard pursuant to Section 14.5 of the Act; or
 - 2) For which alternate requirements are imposed in an adjusted standard proceeding or as part of a site-specific rulemaking, pursuant to Title VII of the Act; or
 - 3) For which alternate requirements are imposed in a regulated recharge area proceeding pursuant to Section 17.4 of the Act; or
 - 4) That is located ON THE SAME SITE AS A NON-COMMUNITY WATER SYSTEM WELL AND FOR WHICH THE OWNER IS THE SAME FOR BOTH THE facility or unit AND THE WELL. (Section 14.4(b) of the Act); or
 - 5) That is located WITHIN A REGULATED RECHARGE AREA AS DELINEATED in 35 Ill. Adm. Code 617, PROVIDED THAT:
 - A) THE BOUNDARY OF THE LATERAL AREA OF INFLUENCE OF A COMMUNITY WATER SUPPLY WELL LOCATED WITHIN THE REGULATED RECHARGE AREA does not INCLUDE SUCH facility or unit THEREIN;
 - B) THE DISTANCE FROM THE WELLHEAD OF THE COMMUNITY WATER SUPPLY TO THE facility or unit EXCEEDS 2500 FEET; AND
 - C) THE COMMUNITY WATER SUPPLY WELL WAS not IN EXISTENCE PRIOR TO JANUARY 1, 1988. (Section 14.4(b) of the Act) or
 - 6) For which the owner or operator of the facility for storage and related handling of pesticides or fertilizers for the purpose of commercial application or at a central location for the purpose of distribution to retail sales outlets that has filed a written notice of intent pursuant to Section 14.6 of the Act WITH THE DEPARTMENT OF AGRICULTURE BY JANUARY 1, 1993, OR WITHIN 6 MONTHS AFTER THE DATE ON WHICH A MAXIMUM SETBACK ZONE IS ESTABLISHED OR A REGULATED RECHARGE AREA

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REGULATION IS ADOPTED THAT AFFECTS SUCH A FACILITY; or has filed a written certification of intent pursuant to Section 14.6 of the Act ON THE APPROPRIATE LICENSE OR RENEWAL APPLICATION FORM SUBMITTED TO THE DEPARTMENT OF AGRICULTURE OR OTHER APPROPRIATE AGENCY (Section 14.6(a) of the Act). This exception shall not apply to those facilities that are not in compliance with the program requirements of subsections 14.6(b) and 14.6(c) of the Act.

- b) Nothing in this Section shall limit the authority of the Board to impose requirements on any facility or unit within any portion of any setback zone or regulated recharge area pursuant to the Act.

(Source: Amended at 17 Ill. Reg. _____, 1871
January 28, 1993 _____)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: New Activities In A Setback Zone or Regulated Recharge Area
- 2) Code Citation: 35 Ill. Adm. Code 616
- 3) Section Numbers: 616.105 Adopted Action: Amended
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022 and 1027.
- 5) Effective Date of Rule: January 28, 1993
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Does this Rule contain incorporations by reference? No
- 8) Date filed in Board's Principal Office: January 21, 1993
- 9) Notice of Proposal Published in Illinois Register: October 30, 1992, 16 Ill. Reg. 16473-16479, Issue 44
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:

The language "or has filed a written certification of intent pursuant to Section 14.6 of the Act ON THE APPROPRIATE LICENSE OR RENEWAL APPLICATION FORM SUBMITTED TO THE DEPARTMENT OF AGRICULTURE OR OTHER APPROPRIATE AGENCY" was added.
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Yes. The agreements involve possible future actions and will be implemented as agreed to.
- 13) Will this Rule replace an emergency Rule currently in effect? No
- 14) Are there any other amendments pending on this Part? No

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

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NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Rule:

On September 15, 1992, Governor Edgar signed Senate Bill 1750 (Public Act 87-1108) into law. This Act amends the Illinois Environmental Protection Act to provide an alternative groundwater protection program for certain agricultural facilities currently subject to 35 Ill. Adm. Code for 616. The purpose of the instant rulemaking is to conform the Part 616 regulations with P.A. 87-1108.

The current Part 616 rules regulate new agricultural facilities that are located within setback zones of potable water wells, with an effective compliance date of January 1, 1993. Under the provisions of PA 87-1108 facilities may elect to opt out of the Part 616 program and instead participate in an alternative groundwater protection program to be administered by the Illinois Department of Agriculture.

An opinion and order of the Board is available from the Board at (312) 814-3620. Please refer to R92-20 when requesting copies.

16) Information and questions regarding this adopted rule shall be directed to:

Michelle C. Dresdow
Illinois Pollution Control Board
P.O. Box 505
DeKalb, IL 60115
(815) 753-0947

Please refer to docket R92-20 when making inquiries.

The full text of the Adopted Rule begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 616

NEW ACTIVITIES IN A SETBACK ZONE OR REGULATED RECHARGE AREA

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AUTHORITY: Implementing Sections 5, 14.4, 21, and 22, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022, and 1027).

SOURCE: Adopted in R89-5 at 16 Ill. Reg. 1592, effective January 10, 1992; amended in R89-14(C) at 16 Ill. Reg. 14676, effective September 11, 1992; amended in R92-20 at 17 Ill. Reg. 1878, effective January 28, 1993.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL

Section 616.105

General Exceptions

- a)
- This Part does not apply to any facility or unit, or to the owner or operator of any facility or unit, for which:

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- 1) The owner or operator obtains certification of minimal hazard pursuant to Section 14.5 of the Act; or
- 2) Alternate requirements are imposed in an adjusted standard proceeding or in a site-specific rulemaking, pursuant to Title VII of the Act; or
- 3) Alternate requirements are imposed in a regulated recharge area proceeding pursuant to Section 17.4 of the Act; or
- 4) The owner or operator of the facility for storage and related handling of pesticides or fertilizers for the purpose of commercial application or at a central location for the purpose of distribution to retail sales outlets that has filed a written notice of intent pursuant to Section 14.6 of the Act WITH THE DEPARTMENT OF AGRICULTURE BY JANUARY 1, 1993, OR WITHIN 6 MONTHS AFTER THE DATE ON WHICH A MAXIMUM SETBACK ZONE IS ESTABLISHED OR A REGULATED RECHARGE AREA REGULATION IS ADOPTED THAT AFFECTS SUCH A FACILITY; or has filed a written certification of intent pursuant to Section 14.6 of the Act ON THE APPROPRIATE LICENSE OR RENEWAL APPLICATION FORM SUBMITTED TO THE DEPARTMENT OF AGRICULTURE OR OTHER APPROPRIATE AGENCY (Section 14.6(a) of the Act). This exception shall not apply to those facilities that are not in compliance with the program requirements of subsections 14.6(b) and 14.6(c) of the Act.

- b) Nothing in this Section shall limit the authority of the Board to impose requirements on any facility or unit within any portion of any setback zone or regulated recharge area in any adjusted standard proceeding, site-specific rulemaking or a regulatory proceeding establishing the regulated recharge area.

(Source: Amended at 17 Ill. Reg. 1878
effective January 28, 1993)

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- 1) The Heading of the Part:

Lead Poisoning Prevention Code

- 2) Code Citation:

77 Ill. Adm. Code 845

- 3) Section Numbers:

845.10

Adopted Action:
Amendment

845.15 New Section

845.20 Amendment

845.23 New Section

845.25 New Section

845.26 New Section

845.28 New Section

845.29 New Section

845.30 Amendment

845.40 Amendment

845.50 Amendment

845.60 Repealer

845 Appendix A New Section

Exhibit A New Section

Exhibit B New Section

Exhibit C New Section

845 Appendix B New Section

845 Appendix C New Section

Illustration A New Section

845 Appendix D New Section

Illustration A New Section

845 Appendix E New Section

- 4) Statutory Authority:

Lead Poisoning Prevention Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1301 et seq.)

- 5) Effective Date of Amendments: February 1, 1993

- 6) Does this Rulemaking Contain an Automatic Repeal Date? No

- 7) Does this Rulemaking Contain any Incorporations by Reference? No

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- 8) Date Filed in Agency's Principal Office: February 1, 1993
- 9) Date Notice of Proposed Amendments was Published in the Illinois Register:

16 Ill. Reg. 12314 - August 7, 1992

- 10) Has the Joint Committee on Administrative Rules Issued a Statement of Objection to this Rulemaking: Yes

If Yes, Date Agency Response Submitted for Approval to ICAR:

January 27, 1993

Date Statement of Objection was Published in the Illinois Register:

January 29, 1992 - 17. Ill. Reg 1243

- 11) Difference Between Proposal and Final Version:

In Section 845.10, the definition of "lead poisoning" has been clarified by adding "(see 'permissible limits')" after "Part".

The definition of "notice" has been revised to mean "any written notification, as specified in this Part, to be issued by the Department or a delegate agency".

In Section 845.10 in the definition of "permissible limits", the permissible limit for children has been changed to a confirmed blood lead level of less than 10 mcg/dl.

The following definition has been added to Section 845.10: " 'work site' means the room or rooms undergoing lead abatement activities in a single family dwelling or the room or rooms and common areas undergoing lead abatement activities in a residential building."

The following definition has been added to Section 845.10: " 'work area' means exterior areas where lead abatement activities are conducted."

The following definition has been added to Section 845.10: " 'confirmed blood lead level' means that an elevated blood lead level is confirmed by a second blood lead test. A confirmed blood lead level for levels over 20 mcg/dl is a venous specimen."

In the last sentence of Section 845.15(a), the phrase "If all children cannot be screened" has been deleted.

Section 845.15(a)(1) has been revised to include children age six months through six years and

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subsection (a)(2) has been deleted. Proposed Section 845.15(a)(3) has been renumbered as (a)(2) and has been revised to read: "Children age six months through six years who are siblings, visitors or playmates of children with known lead poisoning, or who are occupants of the same residential building as children with known lead poisoning."

Section 845.15(b) has been revised, in part, to read as follows:
 ...APPROPRIATE STEPS (referral of children with identified risk factors as defined in subsection (a) to a physician or health care provider) TO ENSURE THAT PATIENTS RECEIVE LEAD POISONING SCREENING, WHERE MEDICALLY INDICATED OR APPROPRIATE, consistent with the risk factors in subsection (a)(1) through (a)(5) above. (Section 6.2 of the Act) Patients are those children receiving complete health care provided by the approved health care facility.

A new Section 845.15(c)(3) has been added as follows: "Children who are occupants of the same residential building as a child with known lead poisoning."

In Sections 845.15(a)(5) and (c)(4), the phrase "highways with heavy traffic" has been changed to "major highways".

Section 845.20(a)(1) has been modified to require reporting starting with a confirmed lead level of 10 mcg/dl.

The following sentence has been moved from Section 845.20(c) to the end of subsection (a)(2): "Verification information shall consist of a confirmed blood lead level in excess of the permissible limits and shall include the name, address, date of birth, sex, race, blood lead level, date of test, date of report, physician and/or clinic with address, and the reporting agency."

A new subsection 845.25(b)(5) has been added as follows: "refer the parent or guardian of the case for medical treatment when appropriate;".

Section 845.25(c) has been revised by adding "Necessary follow-up includes individual case management and environmental management" after "(Section 7.2 of the Act)".

Section 845.26(a) and (b) have been combined to read as follows: "a child receiving chelation therapy for lead poisoning whose physician requests an inspection to determine if the child should be removed from the dwelling or residential building due to a lead hazard;".

Section 845.26(b) has been revised to specify that inspections may be requested by DCFS for children with confirmed lead poisoning at or above 20 mcg/dl.

The second sentence of Section 845.26(c) has been revised to read: "An environmental inspection

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is also recommended for each case in which a child has confirmed lead poisoning at or above 20 mcg/dl; or"

A new subsection (d) has been added to Section 845.26 to require environmental inspections for a child with a persistent blood lead level of 15-19 mcg/dl over a six-month period.

Section 845.28(e) has been revised to require a certificate of completion of a Department-approved one day (8 hour) lead inspector refresher course. The refresher course content shall be the same as that indicated in subsection (f) below of Section 845.28.

Appendix C has been referenced in Section 845.28(f)(2)(F).

In Section 845.29(c), "washing or" has been added before "showering".

Proposed Section 845.29(g)(1), concerning alternate or remedial actions for soil, has been moved to Appendix E.

Section 845.29(f) has been modified to include only safety guidelines. The portions of subsection (f) that specify soil sampling procedures have been moved to Appendix E. In order to clarify that subsection (f) specifies safety guidelines, "shall" has been changed to "should" throughout the subsection.

Proposed Section 845.30(a)(1) allowing the Department to post a notice without requiring abatement has been deleted.

In Section 845.30(a)(2), "small" will be removed before "child".

Section 845.30(a)(3) has been revised to read as follows:

may notify the owner of the dwelling or the residential building in writing, or in person, advising of the existence of such substances with instructions that these substances if accessible to children shall be removed, replaced or securely and permanently covered as required by subsections (d) through (j) below.

Section 845.30(a)(4) has been added to read as follows:

In order to ensure that lead abatement activities do not result in lead contamination of areas outside of the abatement worksite, the removal of lead-bearing substances from the dwelling or residential building shall be conducted in a manner that will not endanger the health or well-being of occupants and will result in the safe removal from the worksite and the safe disposal of flakes, chips, debris, dust, and other lead-bearing

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substances. Subsections (k), (l), (m), (n), (o), and (p) below specify recommended procedures for containment during abatement, cleanup, and disposal of lead-bearing substances. Adherence to these procedures will ensure that the above-mentioned requirement is met.

Section 845.30(b) has been revised to require, in part, that "the owner or its agent shall comply with subsections (c) and (k) below when making temporary lead hazard repairs which create lead dust or fumes. No children, pregnant women, unprotected nonworkers, or pets shall be permitted to enter the work site."

The following sentence has been added at the beginning of Section 845.30(b)(1): "When conducting any temporary lead hazard repair that does not create lead dust or fumes, the requirements of subsections (c)(1)(B) through (E) and (c)(2) below are optional."

The last sentence of Section 845.30(c)(1) has been revised to specify: "The owner or its agent shall assure, through the monitoring of airborne dust in the work site, and in areas that are outside but adjacent to the work site, that no person conducting lead abatement work directed by the Department or owner is exposed to lead at concentrations greater than the permissible exposure limit average (50mcg/m³).

Proposed Section 845.30(d) has been relabeled as subsection (k) and changed from a requirement to a recommendation.

Proposed Section 845.30(e) has been relabeled as subsection (d).

Proposed Section 845.30(f) has been relabeled as subsection (e).

Proposed Section 845.30(g) has been relabeled as subsection (l) and changed from a requirement to a recommendation.

Proposed Section 845.30(h) has been relabeled as subsection (f).

Proposed Section 845.30(i) has been relabeled as subsection (g).

Proposed Section 845.30(j) has been relabeled as subsection (h).

Proposed Section 845.30(k) has been relabeled as subsection (i).

Proposed Section 845.30(l) has been relabeled as subsection (j).

Sections 845.30(m) and (n) have been changed from requirements to recommendations.

Proposed Section 845.30(o) has been relabeled as subsection (p) and changed from a requirement

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to a recommendation.

Proposed Section 845.30(p) has been relabeled as subsection (r).

Proposed Section 845.30(q) has been relabeled as subsection (s).

The following sentence will be added at the end of Section (g)(4): "(All seams and openings shall be caulked and sealed where applicable.)"

Subsection (m)(2)(F) has been added to provide that when vacuum or hydro-blasting, interior windows should be sealed with plastic sheeting and secured with water proof tape.

Subsection (m)(1)(G) has been revised to recommend that carpeting be misted with water prior to removal.

Section 845.60 has been repealed.

Appendix A, Exhibit B has been revised to indicate that delegate agencies are responsible for completing the form for medical follow-up data of childhood blood lead levels of 15 mcg/dl or higher.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

All changes agreed upon by the Department and the Joint Committee on Administrative Rules have been made.

- 13) Will the Amendments Replace an Emergency Rule Currently in Effect? No

- 14) Are there any other Amendments Pending on this Part? No

- 15) Summary and Purpose of Amendments:

The rulemaking specifies criteria to be used by physicians and health care providers in screening children for lead poisoning, specifies requirements for reporting lead blood levels in excess of specified permissible limits to the Department, and defines several terms, including "permissible limits." This rulemaking adds a new section concerning laboratory fees to be charged by the Department for blood lead analysis of blood samples. The responsibilities of units of local government or local health departments that enter into agreements as delegate agencies are outlined in the amendments. These duties may include follow-up for cases having a confirmed elevated blood lead level above the permissible limits, and inspection of dwellings, residential buildings, and child care facilities for the purpose of determining the source of lead poisoning. New sections have been added in the rulemaking to implement provisions concerning lead

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inspector licensing and safety guidelines for workers removing or covering leaded soil. In addition, provisions concerning abatement of lead hazards have been modified to specify requirements relative to abatement of single unit and multi-unit residential buildings and approved methods of abatement. In addition, the rulemaking specifies recommended procedures for personal protection of workers conducting lead abatement, interior and exterior containment, and cleanup of work sites. The rulemaking sets forth requirements for approval of units of local government or local health departments as delegate agencies.

- 16) Information and Questions Regarding this Adopted rulemaking shall be directed to:

Ms. Gail M. DeVito, Division of Governmental Affairs, Illinois Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761 (217)782-6187.

The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER p: HAZARDOUS AND POISONOUS SUBSTANCES

PART 845

PREVENTION OF LEAD POISONING PREVENTION CODE

Section	Definitions
845.10	Lead Screening
845.15	Reporting
845.20	Laboratory Fees for Blood Lead Screening
845.23	Case Follow-Up
845.25	Inspection of Dwellings, Residential Buildings or Child Care Facilities
845.26	Lead Inspector Licensing
845.28	Safety Guidelines for Workers Removing or Covering Leaded Soil
845.29	Abatement Removal of Lead Hazards
845.30	Approval of Units of Local Government or Health Departments as Delegate Agencies to Administer and Enforce the Lead Poisoning Prevention Act
845.40	Permissible Limits of Lead in and about Dwellings, Residential Buildings or Child Care Facilities and Dwelling Units
845.50	Placarding of Dwellings (Repealed)
845.60	Instructions for Completing the Laboratory Based Report of Childhood Lead Poisoning
Section 845, Appendix A	Instructions for Submitting the Medical Follow-Up Data of Childhood Blood Lead Levels of 15 mcg/dl and Above
Exhibit A	Instructions for Reporting Information by Delegate Agencies on Environmental Inspection for Cases of 20 mcg/dl and Above
Exhibit B	Testing for Lead in Paint by Portable X-Ray Fluorescence Lead in Paint Analyzer (XRF)
Exhibit C	Testing for Lead Using a Spectrum Analyzer
Section 845, Appendix B	Inspection Forms and Diagram of Building Components
Section 845, Appendix C	Recommended Setup and Use of a Negative Pressure System
Section 845, Appendix D	Examples of Negative Pressure Systems
Section 845, Appendix E	Soil Sampling

AUTHORITY: Implementing and authorized by the Lead Poisoning Prevention Act. (Ill. Rev. Stat. 1991⁸³, ch. 111 1/2, par. 1301 et seq.)

SOURCE: Adopted July 15, 1976; amended at 2 Ill. Reg. 43, effective October 23, 1978; rules repealed; new rules adopted and codified at 6 Ill. Reg. 14849, effective November 24, 1982; amended at 7 Ill. Reg. 7652, effective June 14, 1983; amended at 8 Ill. Reg. 8242, effective May 25, 1984; amended at 10 Ill. Reg. 5138, effective April 1, 1986; amended at 17 Ill. Reg. 1884

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effective February 1, 1993

Section 845.10 Definitions

In addition to the definitions contained in the Lead Poisoning Prevention Act, the following definitions shall apply:

"Act" means the Lead Poisoning Prevention Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1301 et seq.).

"Child" means a person under the age of 16.

"CHILD CARE FACILITY" MEANS ANY STRUCTURE USED BY A CHILD CARE PROVIDER LICENSED BY THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES OR PUBLIC SCHOOL STRUCTURE FREQUENTED BY CHILDREN UNDER 6 YEARS OF AGE. (Section 2 of the Act)

"Confirmed blood lead level" means that an elevated blood lead level is confirmed by a second blood lead test. A confirmed blood lead test for levels over 20 mcg/dl is a venous specimen.

"DELEGATE AGENCY" MEANS A UNIT OF LOCAL GOVERNMENT OR HEALTH DEPARTMENT APPROVED BY THE DEPARTMENT TO CARRY OUT THE PROVISIONS OF THE LEAD POISONING PREVENTION ACT. (Section 2 of the Act)

"DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH OF THE STATE OF ILLINOIS. (Section 2 of the Act)

"Director" Means the Director of the Department of Public Health of the State of Illinois.

"DWELLING" MEANS ANY STRUCTURE ALL OR PART OF WHICH IS DESIGNED OR USED FOR HUMAN HABITATION. (Section 2 of the Act)

"EXPOSED SURFACE" MEANS ANY INTERIOR OR EXTERIOR SURFACE OF A DWELLING OR RESIDENTIAL BUILDING. (Section 2 of the Act)

"Health Care Provider" means any person providing health care services to children, who is authorized pursuant to the Clinical Laboratory Act to request the testing of specimens, but does not include dentists. "Health Care Provider" includes podiatrists and physicians other than those licensed to practice medicine in all its branches.

"HEPA Vacuum Equipment" means vacuuming equipment with a high efficiency

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particulate air filter capable of trapping and retaining 99.97 percent of particles greater than 0.3 micrometers in mass median aerodynamic equivalent diameter.

"LEAD BEARING SUBSTANCE" MEANS ANY DUST ON SURFACES OR IN FURNITURE OR OTHER NONPERMANENT ELEMENTS OF THE DWELLING AND ANY PAINT OR OTHER SURFACE COATING MATERIAL CONTAINING MORE THAN FIVE-TENTHS OF ONE PERCENT (0.5%) LEAD BY WEIGHT (CALCULATED AS LEAD METAL) IN THE TOTAL NONVOLATILE CONTENT OF LIQUID PAINT. The term "lead bearing substance" also includes LEAD BEARING SUBSTANCES CONTAINING GREATER THAN ONE MILLIGRAM PER SQUARE CENTIMETER OR ANY LOWER STANDARD FOR LEAD CONTENT IN RESIDENTIAL PAINT AS MAY BE ESTABLISHED BY FEDERAL LAW OR REGULATION; OR MORE THAN 1 MILLIGRAM PER SQUARE CENTIMETER IN THE DRIED FILM OF PAINT OR PREVIOUSLY APPLIED SUBSTANCE; OR OBJECT CONTAINING LEAD IN EXCESS OF THE AMOUNT SPECIFIED IN THIS PART OR A LOWER STANDARD FOR LEAD AS MAY BE ESTABLISHED BY FEDERAL REGULATION. (Section 2 of the Act)

"LEAD HAZARD" MEANS A LEAD BEARING SUBSTANCE THAT POSES AN IMMEDIATE HEALTH HAZARD TO HUMANS. (Section 2 of the Act)

"LEAD POISONING" MEANS THE CONDITIONS OF HAVING BLOOD LEAD LEVELS IN EXCESS OF THOSE CONSIDERED SAFE UNDER THIS PART (see "permissible limits") AND FEDERAL RULES AND REGULATIONS. (Section 2 of the Act)

"Local Health Department Authority" means the health department or board of health as recognized by the Department which has jurisdiction over the particular geographical area ~~the health authority having jurisdiction over the town, city, county or region~~ in which the person lives.

"Notice" means any written notification, as specified in this Part, to be issued by the Department or a delegate agency.

"Occupant" means any person who lives in a dwelling as defined in this Part.

"OWNER" MEANS ANY PERSON, WHO ALONE, JOINTLY OR SEVERALLY WITH OTHERS:

- HAS LEGAL TITLE TO ANY DWELLING OR RESIDENTIAL BUILDING, WITH OR WITHOUT ACCOMPANYING ACTUAL POSSESSION OF THE DWELLING OR RESIDENTIAL BUILDING, OR
- HAS CHARGE, CARE OR CONTROL OF THE DWELLING OR

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RESIDENTIAL BUILDING AS OWNER OR AGENT OF THE OWNER, OR AS EXECUTOR, ADMINISTRATOR, TRUSTEE, OR GUARDIAN OF THE ESTATE OF THE OWNER. (Section 2 of the Act)

"Permissible limits" for reporting purposes means a confirmed blood lead level concentration (PbB) of less than 10 25 micrograms/deciliter (mcg/dl) of whole blood in a child under age 16 years, less than 10 mcg/dl for a pregnant or breast-feeding woman and less than 25 70 mcg/dl for all other persons.

"Person" means any one or more natural persons, legal entities, governmental bodies, or any combination.

"Placard" means that notice on the Department's placarding form for posting upon a dwelling for the purpose of informing the public of the existence of lead hazards in or upon the dwelling.

"RESIDENTIAL BUILDING" MEANS ANY ROOM, GROUP OF ROOMS, OR OTHER INTERIOR AREAS OF A STRUCTURE DESIGNED OR USED FOR HUMAN HABITATION; COMMON AREAS ACCESSIBLE BY INHABITANTS; AND THE SURROUNDING PROPERTY OR STRUCTURES. (Section 2 of the Act)

"Work Area" means exterior areas where lead abatement activities are conducted.

"Work Site" means the room or rooms undergoing lead abatement activities in a single family dwelling or the room or rooms and common area of a residential building.

(Source: Amended at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.15 Lead Screening

a)

EVERY PHYSICIAN LICENSED TO PRACTICE MEDICINE IN ALL ITS BRANCHES OR HEALTH CARE PROVIDER SHALL SCREEN CHILDREN 6 MONTHS TO 6 YEARS OF AGE FOR LEAD POISONING (Section 6.2 of the Act), using a blood lead measurement, in accordance with the following criteria, for high risk groups. Physicians and health care providers shall screen children with the following risk factors.

- 1) Children age six months through six years who live in, or are frequent visitors to, older housing with chipped, peeling or powdering paint.
- 2) Children age six months through six years who are siblings, visitors or playmates of children with known lead poisoning, or who are occupants of the

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- same residential building as children with known lead poisoning.
- 2) Children under the age of six years who live in older homes built prior to 1978, which have been renovated or remodeled.
 - 4) Children age six months through six years who live near lead smelters or other lead industries or whose parents or other household members participate in lead-related occupations or hobbies.
 - 5) Children age six months through six years who live near major highways or hazardous waste sites where lead is a major pollutant.
- b) EACH LICENSED, REGISTERED, OR APPROVED HEALTH CARE FACILITY SERVING CHILDREN FROM 6 MONTHS TO 6 YEARS OF AGE, INCLUDING BUT NOT LIMITED TO, HEALTH DEPARTMENTS, HOSPITALS, CLINICS, AND HEALTH MAINTENANCE ORGANIZATIONS APPROVED, REGISTERED OR LICENSED BY THE DEPARTMENT SHALL TAKE THE APPROPRIATE STEPS (referral of children with identified risk factors as defined in subsection (a) to a physician or health care provider) TO ENSURE THAT PATIENTS RECEIVE LEAD POISONING SCREENING, WHERE MEDICALLY INDICATED OR APPROPRIATE, consistent with the risk factors in subsection (a)(1) through (a)(5) above. (Section 6.2 of the Act) Patients are those children receiving complete health care provided by the approved health care facility.
- c) Physicians and health care providers may screen children 6 years of age and older in accordance with the following criteria for high risk groups.
- 1) Children who while under age six years lived in or frequently visited housing built prior to 1978, in which there was chipped, peeling or powdering paint.
 - 2) Children whose younger siblings have been diagnosed with lead poisoning and meet the conditions of subsection (c)(1) above.
 - 3) Children who are occupants of the same residential building as a child with known lead poisoning.
 - 4) Children who while under age six years lived near or still live near smelting plants or other lead industry or near major highways.
 - 5) Children who lived in an older home during remodeling or renovation.
- d) BY JANUARY 1, 1993, EACH DAY CARE CENTER, DAY CARE HOME, PRESCHOOL, NURSERY SCHOOL, KINDERGARTEN, OR OTHER CHILD-CARE FACILITY, LICENSED OR APPROVED BY THE STATE,

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- INCLUDING SUCH PROGRAMS OPERATED BY A PUBLIC SCHOOL DISTRICT, SHALL INCLUDE A REQUIREMENT THAT EACH PARENT OR LEGAL GUARDIAN OF A CHILD BETWEEN THE AGES OF 6 MONTHS THROUGH 6 YEARS PROVIDE A STATEMENT FROM A PHYSICIAN OR HEALTH CARE PROVIDER THAT THE CHILD HAS BEEN SCREENED FOR LEAD POISONING. THIS STATEMENT SHALL BE PROVIDED PRIOR TO ADMISSION AND SUBSEQUENTLY IN CONJUNCTION WITH PHYSICAL EXAMINATIONS required by Section 665.140 of the Department's rules entitled Child Health Examination Code (77 Ill. Adm. Code 665). (Section 7.1 of the Act)
- e) NOTHING IN THIS PART SHALL BE CONSTRUED TO REQUIRE ANY CHILD TO UNDERGO A LEAD BLOOD LEVEL SCREENING OR TEST WHOSE PARENT OR GUARDIAN OBJECTS to such screening ON THE GROUNDS THAT THE SCREENING OR TEST CONFLICTS WITH HIS OR HER RELIGIOUS BELIEFS. (Section 7.1 of the Act)

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.20 Reporting

- a) The Department requires the following persons and facilities to report to the Department all blood lead levels (PbB) in excess of the permissible limit:
- 1) EVERY PHYSICIAN or health care provider WHO DIAGNOSES ANY PERSON TO HAVE A LEVEL OF LEAD IN THE BLOOD IN EXCESS OF THE PERMISSIBLE LIMITS, as defined in Section 845.10, is required to report pursuant to this Section, starting with a confirmed lead level of 10 micrograms/per deciliter (mcg/dl). (Section 7 of the Act)
 - 2) A NURSE, HOSPITAL ADMINISTRATOR, DIRECTOR OF A CLINICAL LABORATORY OR PUBLIC HEALTH OFFICER WHO HAS VERIFIED INFORMATION OF THE EXISTENCE OF ANY PERSON FOUND OR SUSPECTED TO HAVE A LEVEL OF LEAD IN THE BLOOD IN EXCESS OF THE PERMISSIBLE LIMITS. Verification information shall consist of a confirmed blood lead level in excess of the permissible limits and shall include the name, address, date of birth, sex, race, blood lead level, date of test, date of report, physician and/or clinic with address, and the reporting agency. (Section 7 of the Act)
- a) It shall be the duty of all laboratories performing blood lead analysis in Illinois to report all blood lead concentrations (PbB) in excess of the permissible limit (see Section 845.10) to the local health authority in whose jurisdiction the person resides who, in turn, shall report same to the Illinois Department of Public Health. In areas where there is no full time local health department, the report shall be sent directly to

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the Illinois Department of Public Health within 48 hours of receipt of verification;
Reports required pursuant to this Section shall be made to the Department.

It shall be the duty of every physician or nurse, hospital administrator or public health officer who has knowledge of a case of suspected lead poisoning, or of a patient with a greater than permissible PbB to report in the same manner as that described above in Section 845.20(a):

b) Reports required pursuant to this Section shall be submitted within forty-eight hours of receipt of verification thereof.

c) Reports of Forms for reporting blood lead levels PbB's in excess of the permissible limit shall will be on a form or in a format provided by the Illinois Department of Public Health. (See Appendix A). These reports shall include the name, address, date of birth, blood lead level, date of test, date of report, physician and/or clinic with address, and the reporting agency:

(Source: Amended at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.23 Laboratory Fees for Blood Lead Screening

a) The fee schedule for a sample of blood submitted to the Department for blood lead analysis and necessary follow-up shall be \$25.00.

b) The Medicaid Recipient Identification Number may be provided for those Medicaid eligible recipients in lieu of payment.

c) Medically indigent recipients shall be those recipients with family incomes under 185% of the federal poverty guidelines, not eligible for Medicaid, and screened by local health departments, Rural Health Clinics, Federally Qualified Health Centers and facilities designated by the Department of Health and Human Services as look-alike Federally Qualified Health Centers. No fee shall be charged for these recipients.

d) Fees collected from the Department's testing service shall be placed in a special fund in the State Treasury known as the Lead Poisoning Screening, Prevention and Abatement Fund.

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.25 Case Follow-Up

a) The delegate agency shall conduct interviews with the parent or guardian of cases or attending physicians as needed to assure the accuracy and completeness of reports and to perform the activities of case follow-up for confirmed elevated blood lead levels

above 15 mcg/dl.

b) The delegate agency shall perform the following activities concerning patient or case follow-up:

- 1) trace the case;
- 2) counsel the parent or guardian of the case;
- 3) educate the parent or guardian of the case;
- 4) interview the parent or guardian of the case for purposes of collecting, verifying or completing the information identified in Appendix A, Exhibit B and Exhibit C of this Part;
- 5) refer the parent or guardian of the case for medical treatment when appropriate; and
- 6) submit completed reports to the Department as specified in the agreement between the delegate agency and the Department.

c) ANY DELEGATE AGENCY MAY ESTABLISH FEES, ACCORDING TO A REASONABLE FEE STRUCTURE, to be determined by the delegate agency. TO COVER THE COSTS OF DRAWING BLOOD FOR BLOOD LEAD SCREENING AND ANY NECESSARY FOLLOW-UP. (Section 7.2 of the Act). Necessary follow-up includes individual case management and environmental management. Fees may not be charged to Medicaid recipients in accordance with Federal regulations.

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.26 Inspection of Dwellings, Residential Buildings or Child Care Facilities

A representative of the Department or delegate agency may, after notification that a child who is an occupant or frequent inhabitant of a dwelling, child care facility, or residential building is found to have a confirmed blood lead level of 20 mcg/dl or higher, inspect the dwelling, residential building, or child care facility for the purpose of determining the source of lead poisoning. In the following cases, an environmental inspection and follow-up shall be conducted by the Department or delegate agency:

a) a child receiving chelation therapy for lead poisoning whose physician requests an inspection to determine if the child should be removed from the dwelling or residential building due to a lead hazard;

b) a child with confirmed lead poisoning at or above 20 mcg/dl, at the request of the Department of Children and Family Services;

c) a child with confirmed lead poisoning at or above 45 mcg/dl. An environmental inspection is also recommended for each case in which a child has confirmed lead poisoning at or above 20 mcg/dl, or

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- d) a child with a persistent blood lead level of 15-19 mcg/dl over a six-month period.

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.28

Lead Inspector Licensing

- a) A person shall be licensed by the Department prior to engaging in lead inspection activities. The Department shall issue a "Lead Inspector's License" to qualified applicants. In order to qualify, an applicant shall:

- 1) be at least 18 years of age;
- 2) attend a Department approved course, in accordance with subsection (f) below, and pass the examination administered at the conclusion of the course;
- 3) submit a recent 1" x 1" photograph of applicant for proper identification of the licensee. The license shall not be issued without an identification photograph;
- 4) submit proof of employment for one year as a lead inspector, asbestos inspector, building inspector or other type of similar inspection employment, submit proof of certification by the American Board of Industrial Hygiene as an Industrial Hygienist, or attend a 3 day Department-approved course, in accordance with subsection (f)(2); and
- 5) submit to the Department the required fee.

- b) Application. Each person desiring licensure as a lead inspector shall make application to the Department on forms provided by the Department. Each application shall be accompanied by a \$100.00 nonrefundable fee, and a certificate verifying satisfactory completion of a Department-approved course within one year prior to application. Employees of the Illinois Department of Public Health, a delegate agency, or a local health department shall be exempt from licensure fees when such employees' licenses are used only for purposes related to employment at the above-mentioned agencies.

- c) Reciprocity. Each applicant for licensure who is licensed or certified for lead inspection in another state may request reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license if the Department determines that the requirements for licensure in such other state are equal to or greater than the requirements for licensure in Illinois. Each applicant for licensure pursuant to this Section shall submit an application accompanied by a nonrefundable fee of \$100.00.

- d) All licenses shall be renewed annually. All licenses shall expire on January 31 of

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each year, except licenses issued after October 31 and before February 1 shall expire on the next following January 31. The licensee shall be charged a nonrefundable fee of \$15.00 for the issuance of a duplicate license.

- e) Renewal of License. Any license issued pursuant to these rules may be renewed if the licensee submits the application and a \$100.00 nonrefundable fee as required by subsection (a)(5) above and has a certificate of completion of a Department-approved one day (8 hour) lead inspector refresher course. The refresher course content shall be the same as that indicated in subsection (f) below. If a renewal application is received after January 1, the applicant shall pay a nonrefundable late fee of \$15.00 in addition to the renewal fee of \$100.00. An applicant whose licensure has been expired for a period less than 2 years may apply to the Department for reinstatement of his license. The Department shall issue such renewed license provided the applicant pays to the Department all lapsed license fees, plus a reinstatement fee of \$15.00. A license which has been expired for more than 2 years may be restored only by successfully passing an approved lead inspection training course and reapplying.

- d) Approved Course Content. All lead inspectors shall have taken a qualifying training course which meets the requirements set out in this subsection and have received a certificate of completion. A training course in lead inspection shall:

- 1) Receive approval from the Department; and
- 2) Provide at least 8 hours (one day) of instruction for individuals who have 1 year of experience or are certified industrial hygienists as required in subsection (a)(4) above or a three day course (equivalent to 24 hours) for individuals without experience as required in this Section, 2 days of which is dedicated to the topics specified in subsections (f)(2)(E) and (f)(2)(F) below:

- A) health effects of lead exposure;
- B) requirements of regulations and standards established by the Department;
- C) lead sampling techniques;
- D) chemistry related to the lead abatement industry;
- E) construction techniques;
- F) inspection techniques as described in Appendices B and C; and
- G) safety.

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- g) Licensed lead inspectors shall use inspection forms and methods specified in Appendices B and C and Illustration A in Appendix C of this Part.

(Source: Added at 17 Ill. Reg. 1884 _____, effective February 1, 1993 _____)

Section 845.29 Safety Guidelines for Workers Removing or Covering Leaded Soil

- a) Workers should be provided with a pre-employment physical to determine blood lead level and ability to wear appropriate respiratory protection. Workers should not be permitted to perform lead removal work if they have blood lead levels greater than the permissible limits set forth in Section 845.10.
- b) All workers removing or covering leaded soil should receive appropriate safety training designed to reduce their exposure to lead and the risk of job-related injuries.
- c) Workers should be provided with a changing area equipped with a facility for washing or showering. Workers should be required to change into personal protective clothing before entering the work area, and to remove personal protective clothing and shower or wash before leaving the work area, as provided in Section 845.30(c)(2) and (k).
- d) Equipment decontamination procedures shall be employed to prevent the spread of lead contamination. Disposable items are not to be reused and shall be discarded as provided in Section 845.30(p)(2)(C).
- e) Protection for workers removing or covering leaded soil should meet the requirements of Section 845.30(c) and (k). Personal air monitoring for lead and/or respirable dust exposure should be done at appropriate intervals.

f) Safety Guidelines During Soil Remediation or Removal

- 1) Prior to beginning soil remediation or removal, the source of the lead contamination of the soil shall be identified if possible and eliminated to prevent re-contamination of the remediated soil.
- 2) Removal or remediation of the soil shall be accompanied by dust suppression methods, and the generation of dust shall be held to a minimum. Monitoring of airborne dust shall be performed by the owner or its agent and, if acceptable levels are exceeded, additional dust suppression steps shall be taken or work stopped until dust is controlled. Airborne lead analysis may be performed in conjunction with dust measurements.
- 3) Soil which is stockpiled prior to disposal shall be:
- A) placed on a layer of impermeable plastic;

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- B) kept moist to avoid dust generation; and
- C) covered with impermeable plastic which is secured to the ground.

- 4) Contaminated soil shall be transported to disposal areas in sealed containers or in a covered vehicle. Off-site vehicular or foot tracking of contaminated soil shall be avoided.

(Source: Added at 17 Ill. Reg. 1884 _____, effective February 1, 1993 _____)

Section 845.30 Abatement Removal of Lead Hazards

- a) UPON DETERMINATION BY THE DEPARTMENT OR DELEGATE AGENCY THAT THERE ARE LEAD-BEARING SUBSTANCES IN OR UPON ANY DWELLING OR RESIDENTIAL BUILDING OR CHILD CARE FACILITY WHICH MAY BE HAZARDOUS TO CHILDREN, OR UPON RECEIPT OF CONFIRMATION THAT AN INDIVIDUAL HAS A LEVEL OF LEAD IN HIS BLOOD equal to or greater than 20 mcg/dl, THE DEPARTMENT, OR DELEGATE AGENCY (Section 9 of the Act): If a lead bearing substance, hazardous to children under age 16, is found in or upon a dwelling or residential building upon inspection, the owner shall be advised in writing of the procedures to follow in removing or permanently covering the hazard. He shall then be ordered to remove, replace or securely and permanently cover the lead bearing substances. The Department shall order the dwelling owner and/or occupants to take immediate temporary steps to eliminate any hazard to a child under age 16 for whom continued exposure presents a clear potential for immediate and severe physical or neurological damage in the event that appropriate permanent repairs cannot be immediately achieved. These temporary measures are discussed below, followed by permanent repair procedures:

- 1) may inform the local health department of the results of the Department's or the delegate agency's determination and provide recommendations for elimination of the problem areas;
- 2) may, in the event that children reside in or frequently inhabit the premises, notify the homeowner, the occupant, or their representatives that lead-bearing substances are present on the surfaces of the dwelling or the residential building and may constitute a hazard to the health of children; and
- 3) may notify the owner of the dwelling or the residential building in writing, or in person, advising of the existence of such substances with instructions that these substances if accessible to children shall be removed, replaced, or securely and permanently covered as required by subsections (d) through (i) below.

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- 4) In order to ensure that lead abatement activities do not result in lead contamination of areas outside of the abatement worksite, the removal of lead-bearing substances from the dwelling or residential building shall be conducted in a manner that will not endanger the health or well-being of occupants and will result in the safe removal from the worksite and the safe disposal of flakes, chips, debris, dust, and other lead-bearing substances. Subsections (k), (l), (m), (n), (o), and (p) below specify recommended procedures for containment during abatement, cleanup, and disposal of lead-bearing substances. Adherence to these procedures will ensure that the above-mentioned requirement is met.

- b) The following are considered temporary lead hazard repair measures:—The following are only temporary measures and are not to be considered as final actions in complying with the law or fulfilling requirements set forth by the Department or delegate agency. Temporary lead hazard repairs shall be completed within 7 days after receipt of written notification. The following methods are only a means of temporarily eliminating the lead hazard risk to the child under age 16 until permanent removal of the lead-bearing substances is completed in accordance with this Part. The owner or its agent shall comply with subsections (c) and (k) below when making temporary lead hazard repairs which create lead dust or fumes. No children, pregnant women, unprotected nonworkers, or pets shall be permitted to enter the work site.

- 1) When conducting any temporary lead hazard repair that does not create lead dust or fumes, the requirements of subsections (c)(1)(B) through (E) and (c)(2) below are optional. All loose paint shall be moistened and carefully scraped from the walls, ceiling, woodwork, and any other peeling surfaces, and these areas shall then be covered with contact paper, cloth, canvas, or other material for the purpose of preventing that will prevent the paint chips from falling on the floor and preventing a child under age 16 from peeling the paint from the wall. All paint chips shall be collected and sealed in plastic bags for proper disposal in accordance with subsection (p) below.
- 2) Areas which may be chewed upon by a child under age 16 shall be covered with heavy paper, cardboard, cloth, or canvas, or other material that will prevent access to the lead hazard by a child.
- 3) All plaster and paint chips shall be collected, swept up and any surfaces that have collected paint dust shall be cleaned by damp mopping with a phosphate-containing detergent or trisodium phosphate (TSP) thoroughly dusted. Since lead dust is hazardous if inhaled, proper precautions must be taken to avoid inhalation of the dust. This applies to everyone, regardless of age.
- 4) If the temporary repairs described in subsections items (b)(1) through (b)(3)

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above will not result in protection of a child under age 16, or are not practical, the room in which the lead hazard is present shall be closed and locked so that it will not be accessible to children, under age 16, or the a child under age 16 shall be removed to a lead-safe free home dwelling during abatement renovation.

- e) The following are considered as permanent repairs:

- 1) All loose and peeling paint shall be removed from the walls, ceiling, and woodwork by scraping. In addition, all paint chips shall be swept up off the floor when scraping is completed. The wall shall be covered up to a height of four feet with wallboard, plywood, ceiling tile, synthetic or fibrous paneling, fabric-backed vinyl wall covering. All holes or cracks in the wall must be patched and the entire surface intact and smooth before being covered with vinyl or other firmly adhering fibrous material.
- 2) Above the four foot level, the walls and the ceilings shall be scraped and then maintained in a tight condition. The areas above the four foot level may be repainted with a nonleaded paint after the scraping is completed.
- 3) Woodwork below the four foot level shall be stripped to the barewood and may then be repainted, varnished, or covered with a nonleaded substance.
- 4) Woodwork above the four foot level shall be scraped to remove all peeling and flaking paint. It shall then be maintained in a tight condition.
- 5) Other painted surfaces required to be repainted, such as toys, furniture, radiators, cribs, and any other surfaces upon which children under age 16 may chew shall be stripped to the bare wood or metal, and then may be repainted with a nonleaded substance.
- d) The dwelling shall be considered in compliance with the Act only after permanent repairs have been completed.
- e) Any method of permanent repair other than those specifically described in Section 845-30(c) above, may be submitted by the dwelling owner for the approval of the Department. No alternative method of repair will be approved which will not result in permanent and total protection of dwelling residents from exposure to lead hazards.
- f) The Department may extend the period of time originally established in writing upon written request from the owner only if the condition is not an imminent health hazard to the occupants. Such extension shall not be granted until the dwelling has been reinspected at least 30 days after the owner has been ordered to remove or permanently and securely cover the identified lead hazards. In addition to the

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imminence of the health hazard; the Department shall consider the following factors in determining whether to grant an extension of time: availability of alternative housing for the affected child; evidence of a reasonable effort on the part of the owner to come into compliance with the law; the owner's willingness to enter into a written agreement specifying a time table for the completion of all required repairs; financial ability of the owner; and other factors which may be relevant in a given case.

c) Personal Protection

- 1) When conducting lead abatement which does not create lead dust or fumes, the requirements of subsections (c)(1)(B) through (E) and (c)(2) below are optional. An owner, its agent, or any person who is performing corrective action that is prescribed by the Department or a delegate agency for lead abatement in a dwelling, shall take the following precautions to protect his or her health and the health of occupants of the dwelling during any lead abatement that may produce lead dust or fumes. Monitoring of airborne dust shall be performed when work is in progress and respiratory protection shall be provided in accordance with this Section. The owner or its agent shall assure, through the monitoring of airborne dust in the work site and in areas that are outside but adjacent to the work site, that no person conducting lead abatement work directed by the Department or owner is exposed to lead at concentrations greater than the permissible exposure limit average (50 mcg/m³) over an eight-hour period.

A) No children, pregnant women, unprotected nonworkers, or pets shall be permitted to enter the work site.

B) Respiratory protection shall be worn by all individuals in the work site who may be exposed to lead dust or fumes at all times during lead abatement activities. Respiratory protection shall be worn until all areas have been thoroughly cleaned as described in subsection (n) of this Section. The following are the minimum respiratory protection requirements:

- i) a negative pressure, half mask, air purifying respirator, equipped with high efficiency particulate air (HEPA) filters for airborne lead dust levels not in excess of 0.5 mcg/m³ ten times the permissible exposure level (10 X PEL);
- ii) a full face piece, air purifying respirator, with HEPA filters for airborne dust levels not in excess of 2.5 mcg/m³ (50 X PEL); or
- iii) a pressure demand, full face, supplied air respirator for

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airborne dust concentrations equal to or in excess of 50 mcg/m³ (1000 X PEL).

- C) Only approved Mine Safety and Health Administration (MSHA) or National Institute of Occupational Safety and Health (NIOSH) respirators shall be used. Respirators shall be properly fitted for all persons working at the site. If any person has a medical history of respiratory problems, a physician should be contacted for testing to determine if the person may wear such respirators.
- D) The manufacturers' instructions shall be followed for maintenance, proper fit, use of appropriate cartridges, cleaning, repair, replacement of defective parts, appropriate storage, and the frequency of cartridge replacement for the specific respirator in use.
(NOTE: Respirators are not effective if facial hair (a beard etc.) is present because a good seal cannot form between the respirator and skin.)
- E) Respirators shall not be removed while in the work site or work area.
- F) Additional respiratory protection by supplemental filters, such as organic vapor cartridges, may be needed when handling some coating or stripping products. Consult the Material Safety Data Sheets (MSDS) or the manufacturer and obtain the proper filters as necessary.
- 2) Individuals at the work site shall wear full body suits with hoods and shoe covers. A TYVEK or similar type of disposable suit may be worn. Disposable suits shall be used once, then properly discarded. Protective clothing, as described above, and other personal protective equipment (PPE) shall be put on prior to entering the work site. Protective clothing shall be worn in the work site until the area has been thoroughly cleaned as described in clean-up activities in subsection (n) below. Protective clothing shall be changed before leaving the work site and nondisposable suits shall be laundered separately. An area other than the work site shall be provided for persons to put on suits and other PPE and to store their street clothes.
- 3) Goggles with side shields shall be worn when working with a material that may splash or fragment, or if protective eye wear is specified on the Material Safety Data Sheet (MSDS) for that product.
- d) Notice to Occupants. The owner or its agent shall give notice to the occupants of a

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dwelling to be abated for lead, at least 7 days but not more than 30 days, before a contractor or the owner may commence a lead abatement project. Before beginning a lead abatement project, the owner of the building in which lead abatement is to take place shall remove all furniture and packed personal items from the work site and store them in a secure place. The owner of the building in which the lead abatement project is to take place shall notify all residents of:

- 1) the site or area which is to be abated;
- 2) the date on which abatement is to commence; and
- 3) the occupants' obligations under this Section to place all personal items in a box or other closed, easily handled container. Every occupant of a dwelling to be abated, who has received a notice of lead abatement, shall be responsible for placing all personal items in boxes or other closed, easily handled containers.

e) Residential Buildings. At all times when a lead abatement project is being conducted in a common area of a residential building:

- 1) occupants and pets shall use alternative entrances and exits which do not require passage through the work site, if such entrances and exits exist;
- 2) the owner or its agent shall use all reasonable efforts to create an uncontaminated passage for entrance and egress of all building occupants; and
- 3) if the entrance to and egress from a building can only be through the work site, abatement in the work site shall be conducted between the hours of 9 a.m. to 3 p.m. only, and the work site shall be cleaned with a HEPA vacuum at the end of each working day until all surfaces are free of visible dust and debris.

f) Abatement of lead-bearing substances shall not employ the following methods:

- 1) open flame burning;
- 2) dry-sanding, except as allowed in subsection (g)(2)(D) below;
- 3) open abrasive blasting, except as allowed in subsection (g)(2)(E) below;
- 4) uncontained hydro-blasting;
- 5) methylene chloride for interior use (except that methylene chloride may be

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used in work sites for localized touch-up); or

- 6) dry-scraping.

g) Abatement of lead-bearing substances shall employ only the following methods:

- 1) Replacement. Any component part of a building may be abated by replacement with a part free of lead-bearing substances.
- 2) Removal. Unless replaced, encapsulated, or reversed, woodwork and floors may only be abated by using the following techniques:
 - A) offsite chemical stripping;
 - B) heat gun. (The temperature of the heat gun shall not exceed 700° F.)
 - C) nonflammable chemical strippers which do not contain methylene chloride, except that chemical strippers containing methylene chloride may be used for localized touch-up;
 - D) sander equipped with HEPA vacuum;
 - E) vacuum-blasting in exterior work areas only;
 - F) contained hydro-blasting in exterior work areas only; or
 - G) mechanical paint removal systems equipped with a HEPA vacuum.
- 3) Unless replaced or encapsulated, walls or ceilings may only be abated by using the following techniques:
 - A) wet-scraping of loose material, if scraping is followed by encapsulation;
 - B) vacuum-blasting in exterior work areas only; or
 - C) contained hydro-blasting in exterior work areas only.
- 4) Enclosure or Encapsulation. A wall or ceiling surface may be abated by covering the lead-bearing surface with any of the following materials. (All seams and openings shall be caulked and sealed where applicable.) :
 - A) gypsum board;

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- B) fiberglass mats;
 C) canvas-backed vinyl wall coverings;
 D) high pressure, laminated plastic sheet, such as Formica[®];

E) tile;

F) paneling;

G) other durable material that does not readily tear or peel; or

H) Department-approved solvent-free coatings (not household paint) applied in accordance with the manufacturer's directions. The Department shall provide a list of approved coatings upon request.

5) A floor surface may be abated by enclosure using the following materials:

A) tile;

B) vinyl flooring;

C) wood; or

D) stone.

6) A woodwork surface may be abated by enclosure or encapsulation only with the following materials:

A) plastic;

B) metal;

C) wood; or

D) Department-approved solvent-free coatings (not household paint) applied in accordance with the manufacturer's directions. The Department shall provide a list of approved coatings upon request.

7) Reversal. A woodwork surface may be abated by reversing component parts, provided that no lead-bearing surface remains exposed at the completion of the process and all seams are caulked and sealed.

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8) Windows, when abated, shall be completely treated, including inside, outside, and sides of sashes and mullions. Window frames shall be abated to the outside edge of the frame, including slides, sash guides, and window wells and sills.

h) Alternative Procedures

1) The Department or delegate agency may allow an alternative procedure for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedure that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.

2) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (h)(1) above, the owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.

i) Caution Signs. At each work site or work area in dwellings occupied by two or more families, the owner or its agent performing an abatement shall display a caution sign in the following manner wherever the abatement process is reasonably expected to break or disturb any lead-bearing substances.

1) At least 3 days before removing, enclosing, or encapsulating lead paint, the owner shall post caution signs immediately outside all entrances and exits to the work site. In emergency situations posting shall be done as soon as possible.

2) The owner shall keep the caution signs posted until the lead abatement is completed.

3) The owner shall ensure that caution signs meet the following specifications:

A) the sign shall be at least 20" by 14", and state the date and place of the lead abatement project;

B) except as provided in subsection (i)(3)(C) below, the sign shall include the phrase "Caution, Lead Hazard, Keep Out" in bold lettering, at least two inches high; and

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- C) in dwellings occupied by two or more households where common areas are to be abated, the sign shall include the phrase "Caution, Lead Hazard, Do Not Remain in Work Area Unless Authorized" in bold lettering, at least two inches high.

i) Residential Buildings

- 1) In residential buildings where common areas are to be abated, the owner or its agent shall post a notice on the door of each apartment in the building at least three days before a lead abatement project commences.
- 2) The notice required in subsection (i)(1) above shall contain:

- A) the date of commencement of abatement and identification of the area to be abated; and
- B) a caution statement alerting residents not to enter the work site or work area.

k) Personal Hygiene Practices

- 1) Eating, drinking, smoking, and applying of cosmetics are not allowed in the work site or work area. Any person leaving the work site or work area should rinse his or her mouth with potable water and wash hands and face thoroughly before eating, drinking or smoking.
- 2) All individuals should wash or shower before leaving the work site or work area for the day.
- 3) A lavatory facility or potable water supply should be provided and located at the work site or work area for the washing of hands and face and for clean up activities.

- l) Negative air pressure should be maintained in work sites undergoing lead abatement in multiple dwelling units occupied by two or more households having a common area and in residential buildings having a common area, in which any unit of the building is undergoing lead abatement. The maintenance of negative air pressure will ensure that contaminated air does not filter from the work site to uncontaminated areas. (See Appendix D of this Part)

- 1) The negative pressure system shall use HEPA filters and shall operate continuously, 24 hours a day, at the start of the lead abatement work through clean-up as described in Section 845.30 (n).

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- 2) The owner or its agent shall assure, through the monitoring of airborne dust, that no person conducting lead abatement work directed by the Department is exposed to lead at concentrations greater than (50 mcg/m³) average over an eight-hour period.

m) Containment

- 1) Interior Containment. Before beginning to abate a lead-containing substance which will cause lead dust or fumes in excess of the requirements in subsection (c) above in the work site, the owner or its agent performing an abatement should:

- A) ensure that all movable objects have been removed from the work site;
- B) turn off all forced air ventilation in the work site and seal exhaust and intake points in the work site;
- C) if the work site is a room or group of rooms within a building, seal the work site from all other portions of the building with plastic sheeting at least 6 mils thick, secured by duct tape or spray adhesives;
- D) seal the opening seams of all kitchen cabinets and refrigerators individually with tape;
- E) cover all objects that cannot be moved, such as radiators, refrigerators, stoves, kitchen cabinets, built-in furniture, and bookcases, with plastic sheeting at least 6 mils thick taped securely in place;

- F) cover floors in the work site with plastic sheeting at least 6 mils thick sealed with tape; and

- G) remove all carpeting from work site prior to abatement. Carpeting should be professionally cleaned or replaced. Carpeting should be misted with water prior to removal to prevent lead dust exposure.

- 2) Exterior Containment. Before beginning to abate a lead-containing substance in an exterior work area, the owner or its agent performing the abatement should use the following procedures:

- A) When liquid waste is produced by any abatement technique used, plastic sheeting at least 6 mils thick shall be placed on the ground, as close as possible to the building foundation, or on the floor when applicable. Sheetting placed on the ground or floor shall be raised at

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its edge and extended a sufficient distance to contain liquid waste.

- B) When nonliquid waste is produced by any abatement technique used, plastic sheeting at least 6 mils thick shall be placed on the ground, as close as possible to the building foundation, or on the floor when applicable. Sheetting placed on the ground or floor shall extend out from the foundation 3 feet per story being abated, with a minimum of 5 feet and a maximum of 20 feet.

- C) Sheetting placed on an exterior floor shall cover the entire floor.

- D) Sheetting shall be secured at the foundations and along all edges and seams.

- E) If the wind speed causes visible dust during an exterior abatement project producing dry waste, abatement should not be performed unless vertical shrouds are erected.

- F) When vacuum or hydro-blasting, interior windows should be sealed with plastic sheeting 6 mils thick and secured with water proof tape.

- 3) For all sealing and covering of interior and exterior abatement work the owner or its agent should use the following:

- A) plastic sheeting, at least 6 mils thick or equivalent;

- B) duct tape or equivalent waterproof tape;

- C) spray adhesives; or

- D) other additional appropriate work practices to contain particulate lead or lead-containing liquids.

- 4) Alternative Procedures

- A) The Department or delegate agency may allow an alternative procedure for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedures that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.

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- B) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (m)(4)(A) above, the owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.

- n) Cleanup of Interior Work Site. Refer to Appendix D of this Part if a negative pressure system is used. After completion of the removal, replacement, enclosure, encapsulation, or reversal involved in an abatement project, the owner or its agent should:

- 1) deposit all lead waste, including sealing tape, plastic sheeting, mop heads, sponges, filters, and disposable clothing, in double plastic bags at least 4 mils thick or single bags 6 mils thick, and seal the bags;

- 2) before washing, vacuum-clean all surfaces in the work site including woodwork, walls, windows, window wells, and floors with a HEPA vacuum;

- 3) after vacuum-cleaning, wet wash all surfaces in the work site including woodwork, walls, windows, window wells, ceilings and floors with a solution containing trisodium phosphate mixed according to the manufacturer's directions; and

- 4) if visible residue remains after washing and allowing all surfaces to dry, vacuum all surfaces with a HEPA vacuum, as described in subsection (n)(2) above.

- o) Cleanup of Exterior Work Area. After completion of the replacement, removal, encapsulation, enclosure, or reversal involved in an exterior abatement project, the owner or its agent should:

- 1) recover all visible debris from exterior areas;

- 2) HEPA vacuum all porches that have been abated; and

- 3) wet wash all surfaces in the work area, including woodwork, windows, window wells, and floors, with a solution containing trisodium phosphate mixed according to the manufacturer's directions.

- p) Waste Disposal

- 1) The owner or its agent of any dwelling who has conducted lead abatement that

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was prescribed by the Department or delegate agency shall contact the Illinois Environmental Protection Agency and local authorities to determine lead-based paint debris disposal requirements.

2) In addition, the owner or its agent should:

- A) remove lead waste from the site of an abatement project not later than 48 hours after completing the final cleanup.
- B) place lead-based paint chips, debris, and lead dust in double 4-mil or single 6-mil polyethylene bags that are air-tight and puncture-resistant. Pieces of wood or other large items that do not fit into plastic bags shall be wrapped with double 4-mil or single 6-mil plastic sheeting and sealed.
- C) place all disposable cleaning materials, such as sponges, mop heads, filters, disposable clothing, and brooms in double 4-mil or single 6-mil plastic bags and seal.
- D) remove plastic sheeting and tape from covered surfaces. Prior to removing the plastic sheeting, the sheeting shall be lightly misted in order to keep dust down and folded inward to form tight small bundles to bag for disposal. All plastic sheeting shall be placed in double 4-mil or single 6-mil thick plastic bags and sealed.
- E) bag and seal vacuum cleaner bags and filters in double 4-mil or single 6-mil thick plastic bags.
- F) place all contaminated clothing or clothing covers used during abatement and cleanup in plastic bags for disposal prior to leaving the equipment room, work site or work area.
- G) place solvent residues and residues from strippers in drums made from materials that cannot be dissolved or corroded by chemicals contained in those solvents and strippers. Solvents shall be tested to determine if they are hazardous. Solvents and caustic and acid waste shall not be stored in the same containers.
- H) contain and properly dispose of all liquid waste, including lead-dust contaminated wash water.
- I) HEPA vacuum the exterior of all waste containers prior to removing the waste containers from the work site or area and wet wipe the containers to ensure that there is no residual contamination.

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Containers that have been cleaned shall be moved out of the work site or area into a designated storage area.

- J) carefully place the containers into the truck or dumpster used for disposal.
- K) ensure that all waste is transported in covered vehicles to a landfill approved by the Illinois Environmental Protection Agency.
- Q) Repainting, coating, and sealing. After cleaning, the owner or its agent shall repaint all abated surfaces with a paint that is not a lead-bearing substance or coat all surfaces from which lead paint has not been removed with a Department-approved, solvent-free coating, except for those enclosed surfaces that have smooth, easily cleanable surfaces.
 - 1) After painting or coating, the owner or its agent shall repeat the cleaning process in all interior work sites, except for those painted with latex paint.
 - 2) After completion of the cleaning, the owner or its agent shall seal all floors that have been abated in the work site with:
 - A) polyurethane;
 - B) gloss deck enamel;
 - C) a tight fitting vinyl floor covering; or
 - D) an equivalent impermeable material, if a smooth cleanable surface is not already present.
 - 3) Alternative Procedures
 - A) The Department or delegate agency may allow an alternative procedure for abatement, containment or cleanup of a lead paint hazard, provided that the owner submits to the Department or delegate agency a written description of the alternative procedure that demonstrates to the satisfaction of the Department that the proposed alternative procedure provides a level of abatement and safety equivalent to the requirements of this Section. The delegate agency shall send a copy of the request and the delegate agency's response to the Department for its records.
 - B) In all cases in which the Department or delegate agency allows the use of an alternative procedure under subsection (q)(3)(A) above, the

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owner and occupant shall, for a one-year period after completion of the lead abatement project, permit the Department or delegate agency to enter and inspect the area of abatement for the purpose of determining the effectiveness and durability of the allowed alternative procedure.

c) Procedures for Determining Compliance

- 1) The Department or delegate agency may inspect a work site or work area at any time during a lead abatement project to determine compliance with this Section.

A) The inspector shall notify the owner of the results of the inspection, and shall include the locations and characteristics of surfaces with inadequate treatment.

B) A lead abatement project shall be deemed to be in compliance with these regulations if:

- i) Lead dust levels on horizontal interior surfaces are below 200 micrograms per square foot;
- ii) All abated surfaces and all floors have been treated to provide smooth and easily cleanable surfaces.

2) Noncompliance. If the results of a lead dust analysis conducted do not meet the requirements of subsections (r)(1)(B)(i) and (ii) above, the owner or its agent shall perform a further cleanup as described in subsection (n). If results of the lead dust analysis meet the requirements of subsections (r)(1)(B)(i) and (ii) above, the Department or delegate agency shall state that the lead abatement project has been completed and complies with the Department's requirements. A statement of completion and compliance may not preclude the Department or delegate agency from taking any future enforcement action against the owner of the dwelling.

s) Records. The Department or delegate agency shall make and retain for 6 years the following information for every lead abatement project prescribed by the Department or delegate agency:

- 1) name and address of the contractor who performed the project and the owner;
- 2) the location of the project;
- 3) a summary of abatement techniques used to comply with Department or

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delegate agency prescribed corrective action;

4) the location of the disposal site of the discarded lead-based substances which were removed from the work site; and

5) the starting and completion dates of the lead abatement project.

(Source: Amended at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.40 Approval of Units of Local Government or Health Departments as Delegate Agencies to Administer and Enforce the Lead Poisoning Prevention Act

a) The Department may approve units of local government or health departments as delegate agencies to administer and enforce the Act in accordance with individually negotiated delegate agency agreements when the conditions specified in (b), (c) and (d) below have been met. No unit of local government or health department shall be approved for this purpose except upon request, and such approval shall be rescinded in the event that the delegate agency agreement is any of those conditions are subsequently violated. Such rescission shall become effective 30 days after the Department serves written notice on the unit of local government or local health department of its intention to rescind approval.

b) The Department shall approve units of local government or local health departments as delegate agencies that enter into written cooperative agreements with the Department to conduct the follow-up activities specified in Section 845.25 of this Part and to conduct inspections of dwellings, child care facilities or residential buildings as specified in Section 845.26 of this Part. The delegate agency shall provide information to the Department on any environmental inspection completed for identified cases and information on remediation action taken. (See Appendix A, Exhibit C of this Part)

b) No unit of local government or local health department shall be approved for this purpose which does not employ qualified professional staff who will be responsible for environmental investigations performed under the Act. In order to be deemed "qualified" personnel must meet the minimum qualifications established by the Department for the classification Associate Sanitarian I in the Minimum Qualifications for Personnel Employed by Local Health Department Code (77 Ill. Adm. Code 600-730) Standards for Local Health Departments.

e) No unit of local government or health department shall be approved for this purpose which will not enter into a written cooperative agreement with the Department agreeing to perform a comprehensive environmental investigation for each child under age 16 identified with undue lead absorption living within its jurisdiction. The

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investigation shall include an examination of each painted surface in the interior of the dwelling, using an X-ray fluorescence (XRF) portable lead in paint analyzer; examination of each painted surface on the exterior of the dwelling which is accessible to children under age 16, using an XRF unit; and collection of such for analysis in the laboratory be necessary or appropriate in each case.

- d) No unit of local government or health department shall be approved for this purpose which will not enter into a written cooperative agreement with the Department agreeing to take any and all steps necessary to enforce the Lead Poisoning Prevention Act and achieve full abatement of all identified lead hazards, including the initiation of legal action through the appropriate State's Attorney's office when reasonable efforts to achieve voluntary abatement have failed.

(Source: Amended at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.50

Permissible Limits of Lead in and about Dwellings, Residential Buildings or Child Care Facilities and Dwelling Units

- a) The permissible limit of lead in any lead bearing substance applied to an exterior surface of a dwelling, residential building or child care facility ~~dwelling or dwelling unit~~, which is accessible to children under age 16, shall be five-tenths of one percent (0.5%) lead by weight (calculated as lead metal) in the total non-volatile content of liquid paint, or lead bearing substance containing greater than one milligram per square centimeter in the dried film of paint, ~~the same as that specified in Ill. Rev. Stat. 1981, ch. 111-1/2, par. 1302(6).~~
- b) The permissible limit of lead in soil, which is readily accessible to children under age 16, shall be 1,000 ~~200~~ micrograms of lead per gram of soil (mcg/g).
- c) The permissible limit of lead in house dust shall be the same as those in Section 845.30 (r)(1)(B)(i) ~~10 micrograms of lead per 36 square inches of surface area.~~
- d) The storage of any lead-containing or lead-contaminated article including automotive or marine batteries, battery casings or battery casing liners; scrap lead or lead solder; internal combustion engine parts; print or print faces; pottery glaze or pottery glaze containers; bullets or spent cartridges; or any other article containing or contaminated by lead in an area accessible to children under age 16 shall be prohibited.

(Source: Amended at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845.60

Placarding of Dwellings (Repealed)

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- a) A placard shall be posted only with the approval of the Director, or his designate, given in accordance with conditions specified in (b) below:

b) No placard shall be posted until the owner of the dwelling has been notified of the existence of lead hazards in or upon the dwelling, and failed to remove such hazards within the time period prescribed by law.

- c) No properly posted placard shall be removed, defaced, destroyed or covered except by an authorized representative of the Department or unit of local government or health department approved to administer and enforce the Lead Poisoning Prevention Act; and only when all lead hazards have been abated.

(Source: Repealed at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845. Appendix A Instructions for Childhood Blood Lead Poisoning Reporting System
Exhibit A Instructions for Completing the Laboratory Based Report of Childhood Lead Poisoning

The Childhood Lead Poisoning Report form should be completed for all confirmed blood lead levels of 10 micrograms per deciliter (mcg/dl) or greater on all persons 15 years of age and younger. All laboratories in Illinois certified by the Illinois Department of Public Health to conduct a blood lead analysis are required to complete the Childhood Lead Poisoning Report form.

1. THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH CASE NUMBER: The case number will be completed by the Illinois Department of Public Health.

2. DATE OF REPORT: Enter the month, day and year the form is being completed. Use two digits, e.g., 08/03/93.

CASE DATA

3. Complete the following information on the case's complete name:

LAST NAME: Enter the case's complete last name.

FIRST NAME: Enter the case's complete first name.

MIDDLE INITIAL: Enter the case's middle initial.

MAIDEN NAME: If applicable, enter the case's maiden name or the case's mother's maiden name.

4. ADDRESS OF CASE: Complete the following elements on the form. All elements refer to the current address for the case.

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4. NUMBER: Enter the number of case's current street address.
4. DIRECTION: Enter the direction which appears in the case's current street address, e.g. North, West.
4. STREET NAME: Enter the name of the case's current street address.
4. APARTMENT NUMBER: If applicable, enter the apartment number of the case's address.
4. TYPE: Enter the applicable type of street address, e.g. avenue, street, boulevard.
4. CITY: Enter the complete name of the city in which the case currently is residing.
4. STATE: Enter the state where the case currently is residing. Use the standard two digit abbreviations.
4. ZIP CODE: Enter the five digit zip code where the case currently is residing.
5. COUNTY: Enter the complete name of the county where the case currently is residing.
6. CODE: Enter the County Code provided by the Illinois Department of Public Health.
6. TELEPHONE NUMBER: If available, enter the case's telephone number (area code and seven digit number). If unknown, enter slashes in boxes provided.
7. DATE OF BIRTH: Enter the date of birth for the case. Use two digits for the month, date and year.
8. SEX: If available, enter the appropriate number for the sex of case in the box provided. Record 1 for a male, 2 for a female and 9 for unknown.

SUBMITTING PARTY DATA

9. NAME: Enter the name of the person, industry, physician, hospital, laboratory, clinic or other submitting the report of the elevated blood lead.
- TITLE: Enter the title, if applicable, of person submitting the elevated blood lead sample to the laboratory to be analyzed.
10. TELEPHONE NUMBER: Enter the telephone number of the submitting party (area code and seven digit number).
11. TYPE: Enter the type of party submitting the sample in the box provided. If a physician

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submits the elevated blood lead sample indicate by marking 1 in box. For a hospital mark 2 in box; for a laboratory (private or public) mark 3 in box; for a clinic mark 4 in box; for other, e.g., nurse, other health care professional, mark 5 in box and specify on the line provided.

TESTING FACILITY DATA

12. NAME OF LABORATORY: Enter the name of the laboratory analyzing the blood lead sample. The laboratory code number will be completed by the Illinois Department of Public Health.
13. ADDRESS: Enter the address of the laboratory analyzing the blood lead sample including street number, direction and name.
- CITY: Enter the complete name of the city of laboratory analyzing the blood lead sample.
- STATE: Enter the two digit abbreviation of the state of the laboratory analyzing the blood lead sample.
- ZIP CODE: Enter the five digit zip code of the laboratory analyzing the blood lead sample.
14. LABORATORY TELEPHONE NUMBER: Enter the telephone number of the laboratory analyzing the blood lead sample.
15. TEST RESULTS: Enter the blood lead level of the sample in micrograms per deciliter (mcg/dl).
16. DATE SAMPLE COLLECTED: Enter the month, day and year the blood lead sample was collected, e.g., 06/01/92. Use two digits for month, day and year.
17. DATE SAMPLE ANALYZED: Enter the month, day and year the blood lead sample was analyzed by the laboratory, e.g., 06/01/92. Use two digits for month, day and year.
18. SPECIMEN TYPE: Enter a 1 in the box provided if the specimen type is venous; and 2 if capillary and a 9 if unknown.

On the line provided on the form, the usual signature of the person (first and last name) completing the form should be affixed. Enter the title of the person completing the form. Enter the date the completed form is mailed.

All elevated blood lead levels of 45 mcg/dl shall be reported by telephone within 24 hours to the Childhood Lead Poisoning Prevention Program (217) 782-0403.

Mail completed report within 48 hours to:

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Illinois Department of Public Health
Division of Family Health
Childhood Blood Lead Level Reporting System
535 West Jefferson Street
Springfield, IL 62761

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845, Appendix A
Exhibit B
Instructions for Childhood Lead Poisoning Reporting System
Instructions for Submitting the Medical Follow-Up Data of Childhood
Blood Lead Levels of 15 mcg/dl and Above

Medical follow-up should be completed by delegate agencies for all persons 15 years of age and younger having had a blood lead test analyzed and confirmed at 15 mcg/dl or higher.

CASE DATA

1. NAME:

LAST NAME: Provide the complete last name of the case.

FIRST NAME: Provide the complete first name of the case.

MIDDLE INITIAL: Provide the middle initial of the case.

MAIDEN NAME: Provide the case's mother's maiden name.

2. ADDRESS:

NUMBER: Provide the number of case's current street address.

STREET NAME: Provide the name of the case's current street address.

APARTMENT NUMBER: If applicable, provide the apartment number of the case's current address.

CITY: Provide the complete name of the city where the case currently is residing.

STATE: Provide the two digit state abbreviation where the case currently is residing.

ZIP CODE: Provide the five digit zip code where the case currently is residing.

COUNTY NAME: Provide the name of the county where the case currently is residing.

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3. PARENT/GUARDIAN'S NAME: Provide the last and first name of the case's parent or guardian.
4. PHONE NUMBER: Provide the parent/guardian's telephone number (area code and seven digit number).
5. MEDICAID NUMBER: Provide the case's Medicaid recipient nine digit identification number.
6. DATE OF BIRTH: Provide the case's month, day and year of birth, e.g. 08/03/89. Use 2 digits for the month, date, and year.
7. SEX: Provide the case's sex. Indicate 1 if male, 2 if female, 9 if unknown.
8. RACE: Provide the case's race. Indicate 1 if White, 2 if Black, 3 if Asian/Pacific Islander, 4 if Native American, or 5 if other.
Black is defined as a person having origins in any of the black racial groups.
Asian or Pacific Islander is defined as a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands, e.g., China, Korea, the Philippine Islands or Samoa.
Native American is defined as a person having origins in any of the original peoples of North America and who maintains culture identification through tribal affiliation or community organization.
White is defined as a person who is considered to be Caucasian.
9. ETHNIC GROUP: Hispanic is not considered a race, but it is considered an ethnicity. Indicate the appropriate number identifying whether or not case is Hispanic. Indicate 1 for yes, 2 for no, and 9 for unknown.
10. NUMBER OF CHILDREN UNDER 6 YEARS OF AGE LIVING IN THE CASE'S HOUSEHOLD: Indicate the appropriate number of children living in the case's household.
11. DATE OF INITIAL MEDICAL EVALUATION: Provide the month, day and year for the date medical evaluation was completed by a physician or health care provider (e.g. 06/10/92).
12. DATE OF LAST MEDICAL ACTION: Provide the month, day and year for the date last medical action was provided by a physician or health care provider; i.e., medical treatment is completed.
13. LAST MEDICAL ACTION: Indicate the last medical treatment provided by a physician or

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health care provider.

14. CHELATION PERFORMED: Indicate 1 for yes, 2 for no, or 9 for unknown.
15. DATE OF PROVOCATIVE CHELATION: Provide the month, day and year; e.g., 10/10/92.
16. COURSES OF CHELATION COMPLETED: Provide the number of courses of chelation completed.
17. DATE LAST CHELATION COMPLETED: Provide the month, day and year; e.g., 10/10/92.
18. TREATED OR REFERRED FOR IRON DEFICIENCY: Indicate 1 for yes, 2 for no, or 9 for unknown.
19. OTHER MEDICAL PROBLEMS: Indicate other medical problems as appropriate.
20. ALTERNATIVE HOUSING PROVIDED: Indicate 1 for yes, 2 for no, or 9 for unknown.
21. CASE OR OTHER IN HOUSEHOLD PREGNANT AT TIME OF DIAGNOSIS: If the case or other in household is pregnant at the time the elevated blood level sample is taken indicate by entering a 0 for not applicable (N/A), 1 for yes, if not pregnant enter a 2 for no, or if unknown enter a 9.
22. TRIMESTER OF PREGNANCY: If the case or other in household is pregnant at the time the elevated blood level sample is drawn enter the trimester by marking 1 for first, 2 for second, 3 for third. If not applicable, enter 0 for zero.
23. THE CHILD WAS SCREENED BECAUSE: Indicate the reason for routine screening as part of: 1 for well child care; 2 for screening due to high risk factors; 3 for screening due to elevated blood lead level of adult in home; 4 for screening due to pica; 5 for screening due to symptoms of lead poisoning; 6 for screening due to parents' or guardians' request.
24. HAS THE CHILD BEEN SCREENED FOR LEAD POISONING PRIOR TO THIS IDENTIFICATION: Indicate 1 for yes or 2 for no. If yes, enter the month, day and year of the last screening and the results of the screening. Use two digits for month, date and year (e.g., 09/20/90). Enter the results in mcg/dl for the blood lead level.
25. REFERRAL FOR DEVELOPMENTAL SCREENING WAS MADE: Indicate 1 for yes or 2 for no.
26. ENTITY TO WHICH REFERRAL WAS MADE: Indicate 1 for local school district, 2 for early intervention program (birth to three years), 3 for Head Start, 4 for local Health

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Department, or 5 for other (please specify).

27. DATE OF REFERRAL FOR DEVELOPMENTAL SCREENING: Indicate month, day and year the referral for a developmental screen was made.
28. DOES THE CHILD EXHIBIT A DEVELOPMENTAL DELAY: Indicate 1 for yes, 2 for no or 9 for Unknown. Enter 3 for cognitive/mental delay, 4 for speech/language delay, 5 for physical delay or 6 for social/self-help delay. Enter all appropriate responses.
29. HOW WAS DEVELOPMENTAL DELAY DETERMINED: Indicate 1 for Denver Developmental Screening Test, 2 for McCarthy Screening Test, 3 for Early Screening Inventory, 4 for Developmental Profile II, 5 for Minneapolis Preschool Screening Instrument, 6 for Vineland Social Maturity Scale or 7 for other.
30. DATE OF REFERRAL FOR ENVIRONMENTAL INSPECTION: Indicate month, day, and year for the date referral was made (e.g., 01/12/90).
31. DATE OF NURSE HOME LEAD INVESTIGATION: Enter the month, day and year of the nurse home visit (e.g., 09/10/90). Use two digits for month, date, and year.

Report Information within 30 days of confirmation of receipt of the Childhood Lead Poisoning Report of 15 mcg/dl to:

Illinois Department of Public Health
Childhood Lead Poisoning Reporting System
Division of Family Health
535 West Jefferson
Springfield, IL 62761

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845, Appendix A
Exhibit C
Instructions for Childhood Lead Poisoning Reporting System
Instructions for Reporting Information by Delegate Agencies on
Environmental Inspection for Cases of 20 mcg/dl and Above

1. CASE DATA

Last Name: Provide the complete last name.

First Name: Provide the complete first name.

Maiden Name: Provide the Mother's maiden name of the case.

Date of Birth: Provide the case's date of birth: month, day, year.

Locations where inspections were conducted: Provide street number, street name and city.

2. DATE OF ENVIRONMENTAL INSPECTION: Indicate the date the environmental inspection was conducted by month, day and year (e.g., 09/15/90). Enter two digits for the

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month, day, and year.

3. INSPECTION RESULTS: Indicate 1 for lead paint hazard, interior only; 2 for lead paint hazard, exterior only; 3 for lead paint hazard, both interior and exterior; or 4 for no lead paint hazard found.
4. NON-LEAD PAINT HAZARD: Indicate 1 for soil, 2 for water, 3 for air, 4 for dust, or 9 for unknown.
5. DWELLING TYPE WHERE LEAD HAZARD WAS IDENTIFIED: Indicate 1 for detached single residence, 2 for attached single residence, 4 for day care, 5 for school, or 6 for other.
6. LEAD HAZARD WAS ABATED: Indicate 1 for yes, 2 for no.
7. ALTERNATIVE HOUSING PROVIDED: Indicate 1 for yes, if child was removed from the premises while remediation was occurring, 2 for no, or 9 for unknown.
9. VIOLATION OF DEPARTMENT RULES: Indicate 1 for yes, if the State's Attorney's Office was required to take legal action for the removal of the lead hazard, or 2 if no legal action was required.

Mail completed form within 30 business days upon completion of environmental inspection process to:

Illinois Department of Public Health
Division of Family Health
Childhood Lead Poisoning Reporting System
535 W. Jefferson Street
Springfield, IL 62761

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

Section 845, Appendix B Testing for Lead in Paint by Portable X-Ray Fluorescence Lead in Paint Analyzer (XRF)

Operation of the XRF and Interpretation of Measurements

This Section is devoted exclusively to direct reading XRFs; the qualifier "direct reading" will generally be omitted, in this Section only. There are four topics: first, tests for correct operation of the instrument; second, improving the precision of the reading by taking repeated measurements; third, improving accuracy by correcting for the reading obtained on the substrate to which the paint adheres; fourth, statistical rules for deciding whether the lead level in the paint exceeds the standard.

- 1) Checking the Operation of the XRF

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There are two different types of checks that the operator should perform to ensure that the instrument is operating properly. The XRF should be tested hourly against the manufacturer's standards or, if the inspection time is less than one hour, at the beginning and end of unit inspection. The instrument should give a reading within the specified tolerance for each standard, especially the zero standard.

The manufacturer's specifications generally require that the variability to be expected in a single measurement be no greater than 0.5 mg/cm². This can be checked quite simply by taking 3 repeated measurements at the same point. These will generally be different, not necessarily because of operator error or problems with the instrument, but because of the natural variability of XRF measurements. However, too great a variation in the 3 values can provide a reliable indication of problems. If the range (maximum-minimum) of the three measurements exceeds 1.7 mg/cm², the measurements should be discarded and the process repeated. Often, the problem will be due to a change in substrate and will correct itself. If the second set of three measurements also fails the range check, the specific XRF should not be used on that type of building component, and should be checked against the manufacturer's standards to determine whether it is operating properly.

- 2) Improving Precision by Repeated Measurements

The basic technique for reducing the variability of XRF readings is to take repeated measurements at the same point. Statistical theory shows that the variability of the average of a set of repeated measurements is less than the variability of individual measurements. For example, the average of three independent readings is 42% less variable than a single reading. The greater the number of repeated measurements, the greater the reduction in variability. For practical reasons, XRF operators are generally required to take three readings at each sampled point. An exception may be made when the first two readings are very high, e.g., over 6.0 mg/cm². Two such readings are considered reliable evidence that the lead level in the paint exceeds the standard. In the rest of this section, an XRF reading will be assumed to be the average of three repeated measurements, unless otherwise noted.

- 3) Improving Accuracy by Correcting for the Substrate Reading

The XRF instrument will give a zero lead reading only on certain very simple substrates for which it is set to zero by the manufacturer. In other words, the XRF will generally give a nonzero reading on a surface that is lead-free. Such readings can be positive or negative. In the NIST study, readings as high as 2.0 mg/cm² were obtained on lead-free surfaces. This means that, unless the XRF reading is very high, there is a real possibility of interference by the substrate beneath the paint.

A reading of 3.0 mg/cm² on a flat surface, or 4.0 mg/cm² on a curved surface or one whose area is less than the minimum specified by the manufacturer, is considered

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sufficiently high to provide assurance that the lead level in the paint exceeds 1.0 mg/cm². If the reading is below these levels, the owner or his agent can choose either to obtain laboratory analysis for the component or to correct the XRF measurement for interference from the substrate. This is accomplished by removing the paint down to the bare substrate, taking three repeated measurements on the bare substrate, averaging these measurements, and subtracting this result from the reading obtained on the paint. The following terminology is often used:

Apparent Lead Concentration (ALC) = Average of 3 paint readings

Substrate Equivalent Lead (SEL) = Average of 3 bare substrate readings

Corrected Lead Concentration (CLC) = ALC - SEL

The NIST study showed that, for practical purposes, the substrate correction removes any bias in the lead concentration reported by the XRF. It is quite possible for the CLC to be negative, because of the variability of the instrument. However, a CLC of -0.6 mg/cm² or less is an indication that the specific XRF does not provide reliable readings on the component being tested. The XRF should be checked against the manufacturer's standards to ensure it is operating properly.

In inspecting the dwelling units, it will generally be possible to establish substrate corrections applicable to all components of the same type in similar units. Thus, for example, all doors in a building may be of the same construction. In such cases, paint need be removed from only one or two of the components in order to determine the substrate correction. This will greatly reduce the number of samples for which paint must be scraped. However, the inspector must be careful to ensure that the substrate truly is the same as the one for which an SEL determination has been made. Thus, this approach will generally not be feasible when inspecting a project which consists of a large number of dissimilar buildings.

Statistical Rules for Deciding Whether the Lead Level in Paint Exceeds the Standard

4)

Although the techniques of taking 3 repeated measurements, and correcting for interference from the substrate, as described above, greatly improve the quality of the XRF reading, considerable measurement variability remains, especially at lead levels close to the standard of 1.0 mg/cm². This makes it difficult to correctly classify paint with a lead level close to 1.0 mg/cm². Two types of error are possible. The first is a false positive, i.e., classifying the paint as having a lead level above 1.0 mg/cm² when it actually has a lead level below 1.0 mg/cm². The second type of error is a false negative, i.e., a failure to detect a lead level above 1.0 mg/cm². The two types of errors have different consequences. False positives lead to unnecessary abatement, while false negatives may have serious health consequences for resident children.

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To minimize the incidence of the two types of errors, the inspector should report his/her results to the PHA as follows. If a CLC of 1.6 mg/cm² or greater is obtained, then a positive reading is reported. If the CLC is below 0.5 mg/cm², a negative is reported. For CLCs between 0.5 and 1.5 mg/cm², the result is reported as ambiguous. The inspector should provide a summary of his/her results, specifying, for each type of building component, the number tested and the number of positive, negative and ambiguous test results. This summary will be used to determine the need for further XRF testing, laboratory confirmation, or abatement.

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993.)

Section 845, Appendix C Testing for Lead Using a Spectrum Analyzer

1) When a spectrum analyzer with energy resolution greater than (about) 3 KeV (FWHM @ 75 KeV) is used to store the paint "K" X-ray spectrum, it is helpful to record the sample information and the number of the stored spectrum. Also, "L" X-rays can be used for lead screening with a spectrum analyzer, provided that the analyzer has sufficient resolution to differentiate lead from other elements (zinc, copper, etc.) which could give false positive results. Screening with "L" X-rays provides a very rapid, non-destructive, semi-quantitative method. If lead "L" x-ray intensity indicates more than 1.0 mg/cm² of lead is present, the "K" x-ray intensity will indicate a much higher amount. The opposite is not true. "K" x-ray intensity should be used when quantitative analysis is desired. Sample sheets should be developed to accommodate this type of technology.

2) Instructions for Completing a LBP Inspection Form for Direct Reading XRF's and Spectrum Analyzers

Example LBP inspection forms are attached. These forms illustrate the kind of information that should be recorded by inspectors performing assays for lead in buildings. Some of the information, such as number of doors, number of windows, number and types of rooms is important in estimating the extent of any abatement indicated by the results of the lead inspection. Inspection forms have been developed in a spreadsheet format, Lotus 1-2-3, which performs calculations from the data obtained.

COVER PAGE:

This page is designed to be a cover page for the entire unit to be inspected for LBP. The total number of rooms to be inspected should be noted. The number of pages which follow that are relevant to this specific unit should be indicated on this page. The inspector and XRF operators should be noted on this page. The inspector should initial this page and all pages that follow to certify the results of the inspection.

A map of the dwelling unit should be constructed and rooms numbered from left to right (clockwise) from the entry to ensure that the sampled surfaces can be located. Constructing such a map will

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assist in planning abatement of surfaces which are determined to be hazardous.

All XRFs which are used in the unit should be recorded by manufacturer and serial number. This is important when several different XRFs are used in a project and one breaks down during the inspection. It may be necessary to reinspect the units that were assayed by that XRF.

The sequence number of the unit inspection for that day should be recorded. In some cases the XRF zero may drift beyond manufacturers tolerances. If the zero is checked, hourly or at the beginning and end of each unit inspection, the effects of zero drift on XRF accuracy can be minimized. Recording the starting time and the sequence number of the unit inspected and then recording the XRF samples in a numerical sequence in the order in which they were performed will allow for the operator to establish what the maximum effect of the zero drift was during the time of the inspection. Each XRF should be standardized both before and after a unit inspection.

FRONT PAGE:

This page is designed to be a front page for a specific room inspected for LBP. The room should be indicated by a number consistent with the cover page numbering. A map of the room should be constructed in the space provided. The map should indicate closets, windows, doors, etc., by number. The purpose of the map is to clearly indicate where any lead hazard exists in the room. The number of windows and doors will be helpful in abatement planning if necessary. Each sampled spot should be indicated by number on the map. The number used must correspond to the number of the sample on the data recording portion of the forms.

Each XRF sample should be assigned a number chronologically sequenced which correlates to a number on the map of the room constructed at the beginning of the room inspection. Each sample number should be associated with a specific XRF. In the event that XRF malfunctions, it may be necessary to repeat the analysis on those samples with another, functioning, XRF. For example, if two XRFs are used, serial #213 and 147.4 then one can be noted as A on the COVER PAGE and the other B. The samples can then be numbered as A-1-1 for XRF "A", Room "1", XRF sample "1". Other numbering schemes are satisfactory as long as a specific XRF can be associated with a specific XRF sample.

DATA PAGES:

Spaces are provided to record a maximum of 3 ALCs and 3 SELs per XRF sample for direct reading XRFs, the average of the readings, the calculated CLC (if necessary), and the results of the laboratory test on the paint films. Typically 3 readings are necessary, but 2 readings are sufficient if they are greater than 6 mg/cm². The result of at least one single read cycle is recorded and repeated 3 times in the same spot. Successive averages of multiple readings can also be recorded, provided that the single reading range can be derived from the readings to ensure that this range is less than or equal to 1.7 mg/cm².

(Source: Added 17 Ill. Reg. 1884, effective February 1, 1993)

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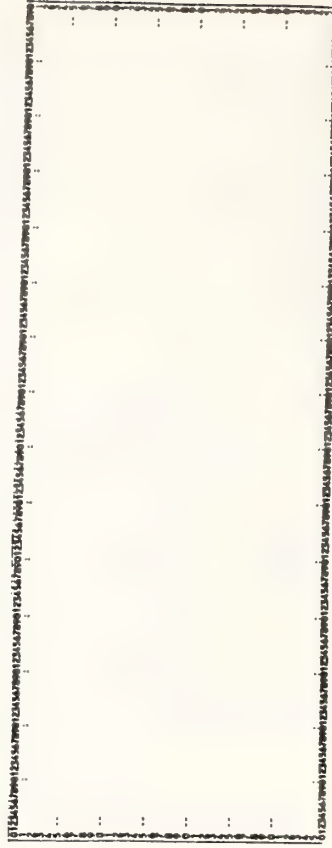
Section 845 Appendix C Testing for Lead using a Spectrum Analyzer
Illustration A Inspection Forms and Diagram of Building Components

LBP INSPECTION FORM**COVER PAGE**

Project _____ Unit ID _____ Number of Rooms _____ Number of Pages Attached _____
Address _____ XRF Mfr. _____ Sequence Number _____
Inspection Company _____ Serial Numbers of XRF's Used _____
No. of Windows _____ No. of Doors _____ No. of Bedrooms _____ No. of Bathrooms _____
Inspectors Notes: _____

Diagram of Unit:

Label rooms by number clockwise from entry. Note unusual features of the unit.



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LBP INSPECTION FORM

FRONT PAGE

Room Name and Number _____ Page of _____ Date _____ Sequence Number _____
 Street _____ Time _____ a.m. _____ p.m. _____ Inspector _____ Operator _____
 Project _____ Company _____ XRF Serial # _____
 No. Doors No. Windows EDL Case ID Sampling Temp. _____ XRF Calibration Log Page _____

Sample Code	Area Response	mg/dl2	Extra Space	Sample ALC-SEL	Surface/Substrate	Laboratory Results
.....1.....2.....3.....

[illegible]

Room
Dimensions
Width:
Length:
Height:
Label # from Entry:

Room Dimensions	Width:	Room Diagram and Sample Location	Approximate Sampling Time	Inspector Comments:

Notes (Key for Columns):

Report: 00	Per 100 PMA
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LBP INSPECTION FORM

DATA PAGE

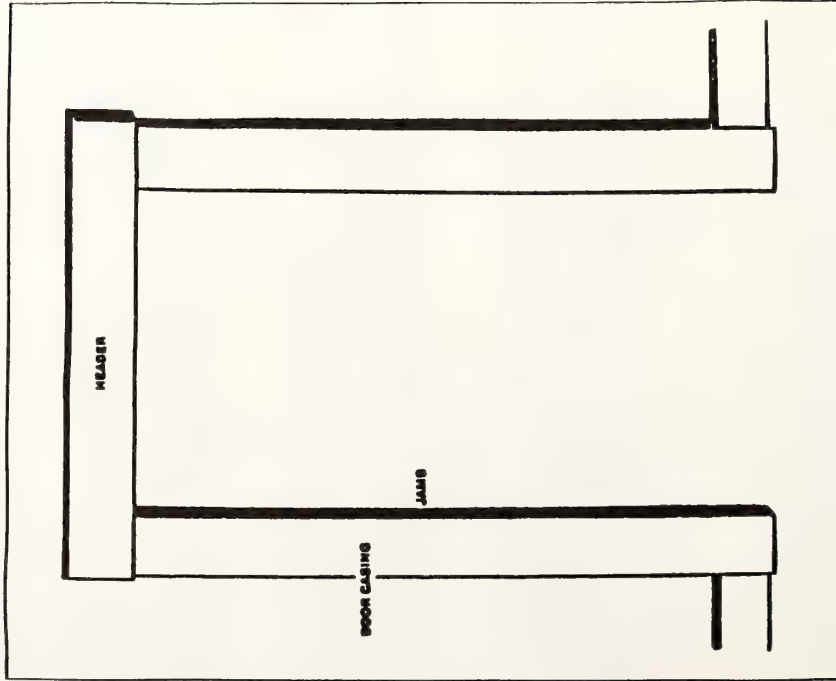
Room Name and Number _____ Page of _____ Date _____ Sequence Number _____
 Street _____ Time _____ a.m. _____ p.m. _____ Inspector _____ Operator _____
 Project _____ Company _____ XRF Serial # _____
 No. Doors _____ No. Windows _____ EDL Case ID _____ Sampling Temp. _____ XRF Calibration Log Page _____

Area Response	mg/dl ²	Extra Space	Sample	AIC-SEL	Surface/Substrate	Laboratory Results
Sample Codes	1.....2.....3.....					
				mean	CLC.....type.....condition.....	

[illegible]

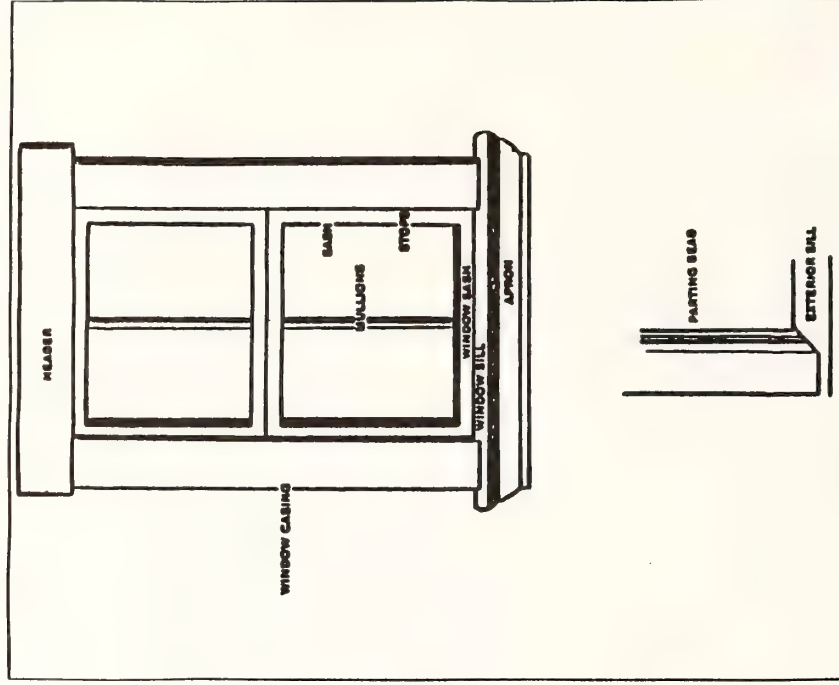
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Diagram of Building Components



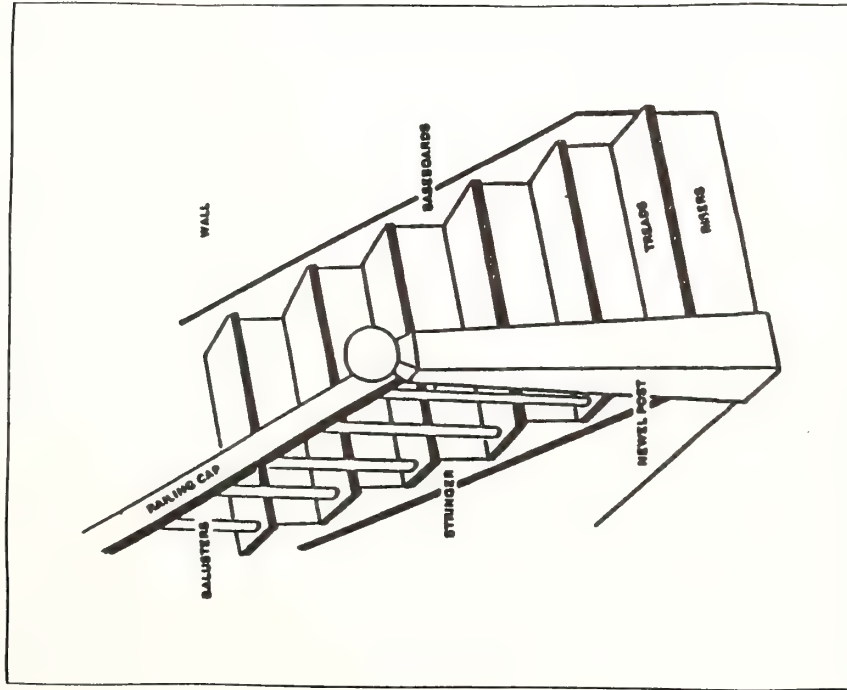
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Diagram of Building Components



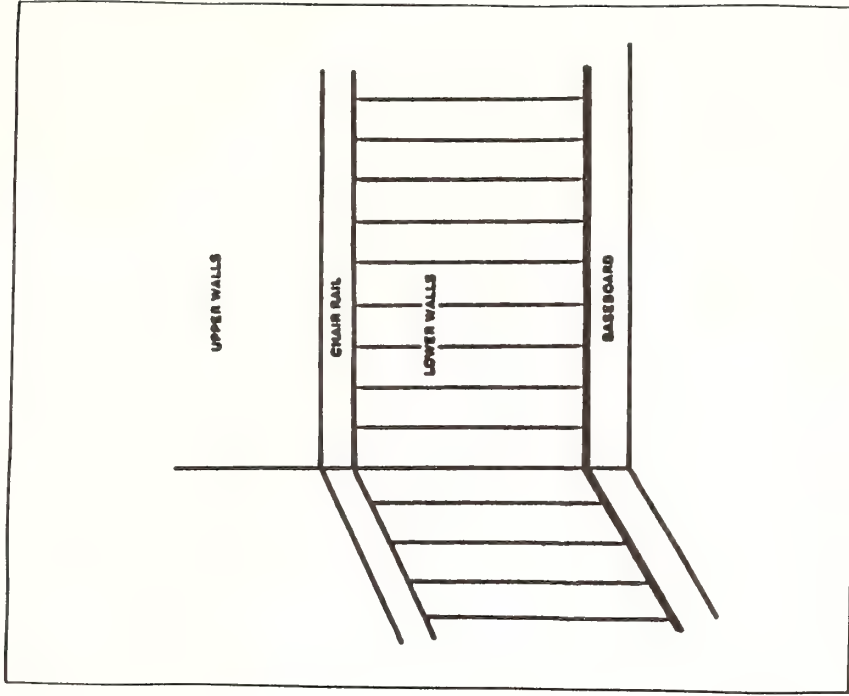
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Diagram of Building Components



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Diagram of Building Components



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Section 845, Appendix D Recommended Setup and Use of a Negative Pressure System

a) Determining the Ventilation Requirements for Work Site

- 1) Experience with negative pressure systems on lead abatement projects indicates a recommended rate of one air change every 15 minutes. The volume (in ft³) of the work site is (in ft³/min) for the work site is determined by dividing this volume by the recommended air change rate (i.e., one air change every 15 minutes.)

$$\text{Total ft}^3/\text{min} = \text{Volume of work site (in ft}^3\text{)} / 15 \text{ min}$$

The number of units needed for the application is determined by dividing the total ft³/min by the rated capacity of the exhaust unit.

$$\text{Number of units needed} = [\text{Total ft}^3/\text{min}] / [\text{Capacity of unit (in ft}^3\text{)}]$$

b) Location of Exhaust Units

- 1) The exhaust unit(s) should be located so that makeup air enters the work site primarily through the decontamination facility and traverses the work site as much as possible. This may be accomplished by positioning the exhaust unit(s) at a maximum distance from the worker access opening or other makeup air sources.
- 2) Wherever practical, work site exhaust units can be located on the floor in or near unused doorways or windows. The end of the unit or its exhaust duct should be placed through an opening in the plastic barrier or wall covering. The plastic around the unit or duct should then be sealed with tape.
- 3) Each unit must have temporary electrical power (115V AC). If necessary, three-wire extension cords can supply power to a unit. The cords must be in continuous lengths (without splice), in good condition, and should not be more than 100 feet long. They must not be fastened with staples, hung from nails, or suspended by wire. Extension cords should be suspended off the floor and out of workers' way to protect the cords from damage from traffic, sharp objects, and pinching.
- 4) Whenever possible, exhaust units should be vented to the outside of the building. This may involve the use of additional lengths of flexible or rigid duct connected to the air outlet and routed to the nearest outside opening. Ducts shall not exceed 100 feet in total length. Windowpanes may have to be moved temporarily.
- 5) If exhaust air cannot be vented to the outside of the building or if cold temperatures necessitate measures to conserve heat and minimize cold air infiltration, filtered air that has been exhausted through the barrier may be recirculated into an adjacent

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area. However, this is not recommended.

- 6) Additional makeup air may be necessary to avoid creating too high of a pressure differential, which could cause the plastic coverings and temporary barriers to "blow in." Additional makeup air also may be needed to move air most effectively through the work site. Supplemental makeup air inlets may be made by making openings in the plastic sheeting that allow air from outside the building into the work site. Auxiliary makeup air inlets should be as far as possible from the exhaust unit(s) (e.g., on an opposite wall), off the floor (preferably near the ceiling), and away from barriers that separate the work site from occupied clean areas. The barrier should be sealed whenever the negative pressure system is turned off after removal has started. Because the pressure differential (and ultimately the effectiveness of the system) is affected by the adequacy of makeup air, the number of auxiliary air inlets should be kept to a minimum to maintain negative pressure. Appendix D, Illustration A of this Part presents examples of negative pressure systems denoting the location of HEPA-filtered exhaust units and the direction of air flow.

c) Use of the Negative Pressure System, Testing the System

- 1) The negative pressure system should be tested before any lead containing substrate is wetted, removed, or abated. After the work site has been prepared, the decontamination facility set up, and the exhaust unit(s) installed, the unit(s) should be started (one at a time). Observe the barriers and plastic sheeting. The plastic curtains of the decontamination facility should move slightly in toward the work site. The use of ventilation smoke tubes and a rubber bulb is another easy and inexpensive way to visually check system performance and direction of air flow through openings in the barrier. The measuring device must be sensitive enough to detect a relatively low pressure drop. A Magnehelic gauge with a scale of 0 to 0.25 or 0.50 inch of H₂O and 0.005 or 0.01 inch graduations is generally adequate. The pressure drop across the barrier is measured from the outside by punching a small hole in the plastic barrier and inserting one end of a piece of rubber or Tygon tubing. The other end of the tubing is connected to the "low pressure" top of the instrument. The "high pressure" tap must be open to the atmosphere. The pressure is read directly from the scale. After the test is completed, the hole in the barrier must be patched.

d) Replacement of Filters

- 1) The HEPA filter should be replaced if prefilter and/or intermediate filter replacement does not restore the pressure drop across the filters to its original clean resistance reading or if the HEPA filter becomes damaged. The exhaust unit is shut off to replace the HEPA filter, which requires removing the prefilter first, then opening the intake grill of filter access, and finally removing the HEPA filter from

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the unit. Used HEPA filters should be placed in a sealable plastic bag (appropriately labeled) and disposed of as lead waste. A new HEPA filter (structurally identical to the original filter) should then be installed. The intake grill and intermediate filter should be put back in place, the unit turned on, and the prefilter positioned on the intake grill. Whenever the HEPA filter is replaced, the prefilter and intermediate filter should also be replaced.

2) When several exhaust units are used to ventilate a work site, any air movement through an inactive unit during the HEPA filter replacement will be into the work site. Thus, the risk of lead dust released to the outside environment is controlled.

3) Any filters used in the system may be replaced more frequently than the pressure drop across the filters indicates is necessary. Prefilters, for example, may be replaced two to four times a day or when accumulations of particulate matter become visible. Intermediate filters must be replaced once every day or so, and the HEPA filter may be replaced at the beginning of each new project. (Used HEPA filters must be disposed of as lead containing waste.) Conditions in the work site dictate the frequency of filter changes. In a work site where dust release is effectively controlled by thorough wetting and good work practices, fewer filter changes may be required than in work sites where the removal process is not well controlled. Filters can be used effectively until resistance (as a result of excessive particulate loading) diminishes the exhaust capacity of the unit.

e) Dismantling the System

When a final inspection and the results of final air tests indicate that the area has been decontaminated, all filters of the exhaust units should be removed and disposed of properly and the units shut off. The remaining barriers between contaminated and clean areas and all seals on openings into the work site and fixtures may be removed and disposed of as contaminated waste. A final check should be made to be sure that no dust or debris remain on surfaces as a result of dismantling operations.

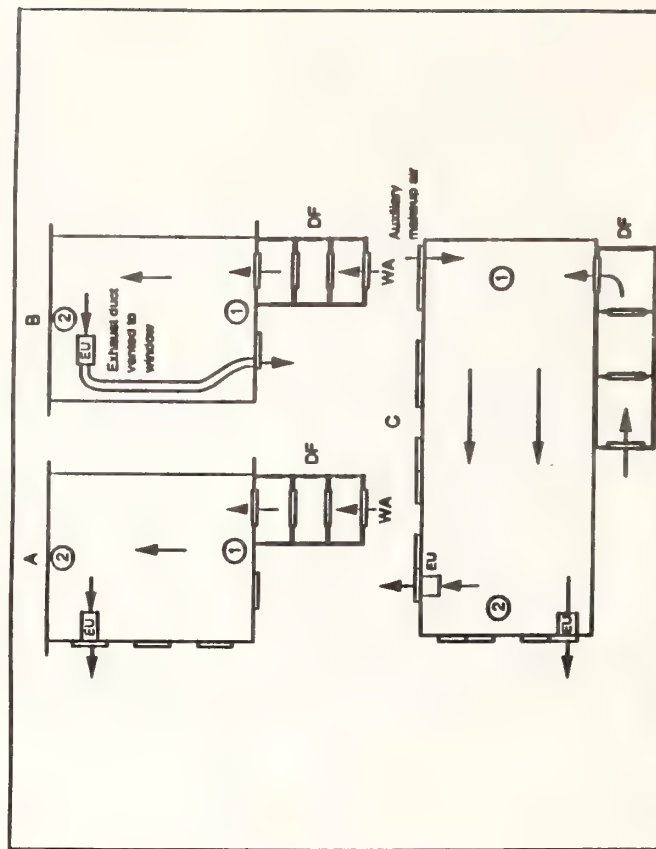
(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

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Section 845, Appendix D Recommended Setup and Use of a Negative Pressure System
Illustration A Examples of Negative Pressure Systems

DF, Decontamination Facility; EU, Exhaust Unit; WA, Worker Access; A, Single-room area with multiple windows; B, single-room work site with single window rear entrance; C, Large single-room work site with windows and auxiliary makeup air source (dotted arrow). Arrows denote direction of air flow. Circled numbers indicate progression of removal sequence.



(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

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Section 845. Appendix E Soil Sampling

If the soil is suspected as a source of lead involved in a child lead poisoning, samples shall be submitted to a certified testing laboratory for analysis for lead or be tested with a spectrum analyzer to determine the lead content. Soil which is to be removed shall be submitted to a certified testing laboratory for Toxic Characteristic Leaching Procedure (TCLP) analysis. Following the TCLP analysis, appropriate permits shall be secured from the Illinois Environmental Protection Agency (IEPA). The owner or its agent shall be responsible for determining waste generator status by contacting the IEPA.

Many different configurations of the dwelling exterior are likely to be encountered in the field, so that only general guidance can be given on the number and location of soil samples to be taken. Initial sampling shall consist of a single soil core approximately one inch in diameter and not to exceed one inch in depth. One sample is to be taken for every 10 lineal feet of the dwelling unit, evenly spaced around the dwelling unit, approximately 2 feet away from the dwelling. Samples shall also be taken in areas around the dwelling unit where children play if those areas were not included in the initial sampling. Analytical results of these samples will be used to establish the bounds of the clean-up area, or the Department will establish a level which has been determined by the Department or delegate agency to be considered no cause for action. No cause for action is based upon the analysis of investigative information gathered by the inspector at the site, and determined by the Department or delegate agency that the soil lead level does not contribute significantly to the child's lead body burden.

First, prepare a site description. Make a detailed drawing showing the boundary of the lot; the position of the main building and any other structures such as garages and storage sheds; the position of the sidewalks, driveways, and other paved areas; the position of the play areas (if clear); and the position of areas with exposed soil, roof rain spouts, and general drainage patterns.

In addition to the diagram, describe the location of the property and include the following information:

- Type of building construction;
- Condition of main building;
- Condition of the property and nature of adjacent property;
- Fencing and animals on the property;
- Apparent use of the property (e.g., used as a play area).

Soil samples should be taken with a tool, such as a spatula, which can easily be decontaminated with a wipe after each use. Use a new wipe prior to taking a new sample.

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Soil samples may be combined to form one sample for each side of the dwelling, building or structure. If the building is 50 feet long, 5 soil samples shall be taken. They may then be combined to form one sample for analysis. Soil samples shall only be combined with samples from the same side of the dwelling, building or structure. Specific areas around the dwelling, building or structure which appear to be play areas which are bare soil shall be sampled, labeled, and kept separate from other samples.

Samples should be placed in a whirl-pak plastic or other type of plastic bag which can be sealed. The bag should be labeled as to where the soil sample was obtained. (For example; the east side of the house) and sealed. Record each sample location on the diagram. Submit samples for analysis or provide a Spectrum Analyzer reading for the specific area tested. Record results from the analysis.

Alternate or temporary remedial actions include the following:

- 1) Areas may be covered with plastic or decorative rock, gravel, wood chips or similar landscaping material to a depth of three inches. Bare soil should be revegetated if possible.
- 2) Soil may be tilled under or mixed to a depth of six inches, followed by placement of three inches of clean topsoil, and reseeded or resodded. Soil additives (i.e., lime) should be considered to reduce lead bioavailability. The tilling process shall not cause excessive dust.
- 3) Clean topsoil, having a lead level at or below soil lead levels cited in Section 845.50 (b), shall be used as a fill material and the soil reseeded or resodded. Ground cover shall be used until the new grass is established.

(Source: Added at 17 Ill. Reg. 1884, effective February 1, 1993)

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- 1) Heading of the Part: Use Tax
- 2) Code Citation: 86 Ill. Adm. Code 150
- 3) Section Numbers: Adopted Action:
150. TABLE A Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 120, , par. 439.12
- 5) Effective Date of Amendment(s): February 2, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 2, 1993
- 9) Notice of Proposal Published in Illinois Register:
September 25, 1992, 16 Ill. Reg. 14563

- 10) Has ICAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: No changes were made.
- 12) Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement letter issued by ICAR? No changes were requested by ICAR.

- 13) Will this amendment replace an emergency amendment currently in effect? Yes

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendment(s): Under the authority of Ill. Rev. Stat. 1991, ch. 34, par. 5-1006, Cook County enacted an ordinance providing for a 3/4% increase in the Cook County Home Rule County Retailers' Occupation Tax, effective September 1, 1992. In addition, Public Act 87-733 (Ill. Rev. Stat., 1991, ch. 35, par. 1233) authorizes local tax increases in specific Chicago metropolitan areas to provide funding for the McCormick Place Convention Center expansion project effective July 1, 1992.

Currently, 86 Ill. Adm. Code 150. Table A sets out sales tax collection brackets, intended for use by Illinois retailers, which range from 1/8% to 8% tax rates. Due to the increase in certain local and county taxes,

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combined with the State rate of 6.25%, municipal and transit taxes already in place, the cumulative tax rate in many areas will exceed 8%. In order to facilitate the collection of taxes, the duty with which the Department of Revenue is charged under Ill. Rev. Stat., 1991, ch. 127, par. 39b, it is imperative to have rules in effect immediately supplementing the current tax brackets with sales tax ranges from 8 1/2% to 12%. Without immediately effective rules, public interest and welfare will be threatened by jeopardizing the Department's ability to collect sales tax on behalf of the State of Illinois. Illinois retailers have come to depend upon sales tax collection bracket information in determining the appropriate amount of tax to collect from customers. Making the additional tax bracket information immediately available to Illinois retailers will enable them to accurately collect and remit sales tax to the Department at a time when every dollar projected as sales tax revenue is crucial to the State's operating budget.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Stanley T. Cichowski
Manager
Illinois Department of Revenue
Legal Services Bureau
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-7054

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENT(S)

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 150
USE TAX

SUBPART A: NATURE OF THE TAX

Section

150.101	Description of the Tax
150.105	Rate and Base of Tax
150.110	How To Compute Depreciation
150.115	How to Determine Effective Date
150.120	Effective Date of New Taxes
150.125	Relation of Use Tax to Retailers' Occupation Tax
150.130	Accounting for the Tax
150.135	How to Avoid Paying Tax on Use Tax Collected From the Purchaser

SUBPART B: DEFINITIONS

Section

150.201
General Definitions

SUBPART C: KINDS OF USES AND USERS NOT TAXED

Section

150.301	Cross References
150.305	Effect of Limitation that Purchase Must be at Retail From a Retailer to be Taxable
150.306	Interim Use and Demonstration Exemptions
150.310	Exemptions to Avoid Multi-State Taxation
150.315	Non-resident Exemptions
150.320	Meaning of "Acquired Outside This State"
150.325	Charitable, Religious, Educational and Senior Citizens Recreational Organizations as Buyers
150.330	Governmental Bodies as Buyers

SUBPART D: COLLECTION OF THE USE TAX FROM USERS BY RETAILERS

Section

150.401	Collection of the Tax by Retailers From Users
150.405	Tax Collection Brackets
150.410	Tax Collection Brackets for a 2-1/4% Rate of Tax (Repealed)
150.415	Tax Collection Brackets for a 2-1/2% Rate of Tax (Repealed)
150.420	Tax Collection Brackets for a 2-3/4% Rate of Tax (Repealed)
150.425	Tax Collection Brackets for a 3% Rate of Tax (Repealed)
150.430	Tax Collection Brackets for a 3-1/8% Rate of Tax (Repealed)
150.435	Tax Collection Brackets for a 3-1/4% Rate of Tax (Repealed)
150.440	Tax Collection Brackets for a 3-1/2% Rate of Tax (Repealed)

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150.445	Tax Collection Brackets for a 3-3/4% Rate of Tax (Repealed)
150.450	Tax Collection Brackets for a 4% Rate of Tax (Repealed)
150.455	Tax Collection Brackets for a 4-1/8% Rate of Tax (Repealed)
150.460	Tax Collection Brackets for a 4-1/4% Rate of Tax (Repealed)
150.465	Tax Collection Brackets for a 4-1/2% Rate of Tax (Repealed)
150.470	Tax Collection Brackets for a 4-3/4% Rate of Tax (Repealed)
150.475	Tax Collection Brackets for a 5% Rate of Tax (Repealed)
150.480	Tax Collection Brackets for a 5-1/8% Rate of Tax (Repealed)
150.485	Tax Collection Brackets for a 5-1/4% Rate of Tax (Repealed)
150.490	Tax Collection Brackets for a 5-1/2% Rate of Tax (Repealed)
150.495	Tax Collection Brackets for a 5-3/4% Rate of Tax (Repealed)
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150.601
Requirements

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SUBPART G: REGISTRATION OF OUT-OF-STATE RETAILERS

Section

150.801	When Out-of-State Retailers Must Register and Collect Use Tax
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SUBPART H: RETAILERS' RETURNS

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Section
150.901 When and Where to File
150.905 Deduction for Collecting Tax
150.910 Incorporation by Reference
150.915 Itemization of Receipts from Sales and the Tax Among the Different States from Which Sales are Made into Illinois

SUBPART I: PENALTIES, INTEREST AND PROCEDURES

Section
150.1001 General Information

SUBPART J: TRADED-IN PROPERTY

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150.1101 General Information

SUBPART K: INCORPORATION OF ILLINOIS RETAILERS' OCCUPATION TAX REGULATIONS
BY REFERENCE

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SUBPART L: BOOKS AND RECORDS

Section
150.1301 Users' Records
150.1305 Retailers' Records
150.1310 Use of Signs to Prove Collection of Tax as a Separate Item
150.1315 Consequence of Not Complying with Requirement of Collecting Use Tax Separately From the Selling Price
150.1320 Incorporation by Reference

SUBPART M: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section
150.1401 Claims for Credit--Limitations--Procedure
150.1405 Disposition of Credit Memoranda by Holders Thereof
150.1410 Refunds
150.1415 Interest

TABLE A Tax Collection Brackets

AUTHORITY: Implementing the Use Tax Act (Ill. Rev. Stat. 1991, ch. 120, pars. 439.1 et seq.) and authorized by Section 39b28 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 39b28).

SOURCE: Adopted August 1, 1955; amended at 4 Ill. Reg. 24, p. 553, effective June 1, 1980; amended at 5 Ill. Reg. 5351, effective April 30, 1981; amended at

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5 Ill. Reg. 11072, effective October 6, 1981; codified at 6 Ill. Reg. 9326; amended at 8 Ill. Reg. 3704, effective March 12, 1984; amended at 8 Ill. Reg. 7278, effective May 11, 1984; amended at 8 Ill. Reg. 8623, effective June 5, 1984; amended at 11 Ill. Reg. 6275, effective March, 20, 1987; amended at 14 Ill. Reg. 6835, effective April 19, 1990; amended at 15 Ill. Reg. 5861, effective April 5, 1991; emergency amendment at 16 Ill. Reg. 14889, effective September 9, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 1947, effective February 2, 1993.

SUBPART M: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section 150. TABLE A Tax Collection Brackets

1/8% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 3.99	0.00
4.00 TO 11.99	0.01

1/4% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 1.99	0.00
2.00 TO 5.99	0.01
6.00 TO 9.99	0.02

1/2% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.99	0.00
1.00 TO 2.99	0.01
3.00 TO 4.99	0.02
5.00 TO 6.99	0.03
7.00 TO 8.99	0.04

3/4% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.66	0.00
0.67 TO 1.99	0.01
2.00 TO 3.33	0.02
3.34 TO 4.66	0.03
4.67 TO 5.99	0.04
6.00 TO 7.33	0.05
7.34 TO 8.66	0.06

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8.67 TO 9.99 0.07

1½ Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.49 0.00
 0.50 TO 1.49 0.01
 1.50 TO 2.49 0.02
 2.50 TO 3.49 0.03
 3.50 TO 4.49 0.04
 4.50 TO 5.49 0.05
 5.50 TO 6.49 0.06
 6.50 TO 7.49 0.07
 7.50 TO 8.49 0.08
 8.50 TO 9.49 0.09

1 1/8% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.44 0.00
 0.45 TO 1.33 0.01
 1.34 TO 2.22 0.02
 2.23 TO 3.11 0.03
 3.12 TO 3.99 0.04
 4.00 TO 4.88 0.05
 4.89 TO 5.77 0.06
 5.78 TO 6.66 0.07
 6.67 TO 7.55 0.08
 7.56 TO 8.44 0.09
 8.45 TO 9.33 0.10

1 1/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.39 0.00
 0.40 TO 1.19 0.01
 1.20 TO 1.99 0.02
 2.00 TO 2.79 0.03
 2.80 TO 3.59 0.04
 3.60 TO 4.39 0.05
 4.40 TO 5.19 0.06
 5.20 TO 5.99 0.07
 6.00 TO 6.79 0.08
 6.80 TO 7.59 0.09
 7.60 TO 8.39 0.10
 8.40 TO 9.19 0.11
 9.20 TO 9.99 0.12

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1 1/2% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.33 0.00
 0.34 TO 0.99 0.01
 1.00 TO 1.66 0.02
 1.67 TO 2.33 0.03
 2.34 TO 2.99 0.04
 3.00 TO 3.66 0.05
 3.67 TO 4.33 0.06
 4.34 TO 4.99 0.07
 5.00 TO 5.66 0.08
 5.67 TO 6.33 0.09
 6.34 TO 6.99 0.10
 7.00 TO 7.66 0.11
 7.67 TO 8.33 0.12
 8.34 TO 8.99 0.13
 9.00 TO 9.66 0.14

1 3/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.28 0.00
 0.29 TO 0.85 0.01
 0.86 TO 1.42 0.02
 1.43 TO 1.99 0.03
 2.00 TO 2.57 0.04
 2.58 TO 3.14 0.05
 3.15 TO 3.71 0.06
 3.72 TO 4.28 0.07
 4.29 TO 4.85 0.08
 4.86 TO 5.42 0.09
 5.43 TO 5.99 0.10
 6.00 TO 6.57 0.11
 6.58 TO 7.14 0.12
 7.15 TO 7.71 0.13
 7.72 TO 8.28 0.14
 8.29 TO 8.85 0.15
 8.86 TO 9.42 0.16
 9.43 TO 9.99 0.17

2% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.24 0.00
 0.25 TO 0.74 0.01
 0.75 TO 1.24 0.02

1.25	TO	1.74	0.03
1.75	TO	2.24	0.04
2.25	TO	2.74	0.05
2.75	TO	3.24	0.06
3.25	TO	3.74	0.07
3.75	TO	4.24	0.08
4.25	TO	4.74	0.09
4.75	TO	5.24	0.10
5.25	TO	5.74	0.11
5.75	TO	6.24	0.12
6.25	TO	6.74	0.13
6.75	TO	7.24	0.14
7.25	TO	7.74	0.15
7.75	TO	8.24	0.16
8.25	TO	8.74	0.17
8.75	TO	9.24	0.18
9.25	TO	9.74	0.19

2 1/8% Tax Rate

IF TRANSACTION IS:			TAX IS:
0.00	TO	0.23	0.00
0.24	TO	0.70	0.01
0.71	TO	1.17	0.02
1.18	TO	1.64	0.03
1.65	TO	2.11	0.04
2.12	TO	2.58	0.05
2.59	TO	3.05	0.06
3.06	TO	3.52	0.07
3.53	TO	3.99	0.08
4.00	TO	4.47	0.09
4.48	TO	4.94	0.10
4.95	TO	5.41	0.11
5.42	TO	5.88	0.12
5.89	TO	6.35	0.13
6.36	TO	6.82	0.14
6.83	TO	7.29	0.15
7.30	TO	7.76	0.16
7.77	TO	8.23	0.17
8.24	TO	8.70	0.18
8.71	TO	9.17	0.19
9.18	TO	9.64	0.20

2 1/4% Tax Rate

IF TRANSACTION IS:			TAX IS:
0.00	TO	0.22	0.00

0.23	TO	0.66	0.01
0.67	TO	1.11	0.02
1.12	TO	1.55	0.03
1.56	TO	1.99	0.04
2.00	TO	2.44	0.05
2.45	TO	2.88	0.06
2.89	TO	3.33	0.07
3.34	TO	3.77	0.08
3.78	TO	4.22	0.09
4.23	TO	4.66	0.10
4.67	TO	5.11	0.11
5.12	TO	5.55	0.12
5.56	TO	5.99	0.13
6.00	TO	6.44	0.14
6.45	TO	6.88	0.15
6.89	TO	7.33	0.16
7.34	TO	7.77	0.17
7.78	TO	8.22	0.18
8.23	TO	8.66	0.19
8.67	TO	9.11	0.20
9.12	TO	9.55	0.21
9.56	TO	9.99	0.22

2 1/2% Tax Rate

IF TRANSACTION IS:			TAX IS:
0.00	TO	0.19	0.00
0.20	TO	0.59	0.01
0.60	TO	0.99	0.02
1.00	TO	1.39	0.03
1.40	TO	1.79	0.04
1.80	TO	2.19	0.05
2.20	TO	2.59	0.06
2.60	TO	2.99	0.07
3.00	TO	3.39	0.08
3.40	TO	3.79	0.09
3.80	TO	4.19	0.10
4.20	TO	4.59	0.11
4.60	TO	4.99	0.12
5.00	TO	5.39	0.13
5.40	TO	5.79	0.14
5.80	TO	6.19	0.15
6.20	TO	6.59	0.16
6.60	TO	6.99	0.17
7.00	TO	7.39	0.18
7.40	TO	7.79	0.19
7.80	TO	8.19	0.20
8.20	TO	8.59	0.21

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8.60 TO 8.99	0.22	2.50 TO 2.83	0.08
9.00 TO 9.39	0.23	2.84 TO 3.16	0.09
9.40 TO 9.79	0.24	3.17 TO 3.49	0.10
		3.50 TO 3.83	0.11
		3.84 TO 4.16	0.12
		4.17 TO 4.49	0.13
		4.50 TO 4.83	0.14
		4.84 TO 5.16	0.15
		5.17 TO 5.49	0.16
		5.50 TO 5.83	0.17
		5.84 TO 6.16	0.18
		6.17 TO 6.49	0.19
		6.50 TO 6.83	0.20
		6.84 TO 7.16	0.21
		7.17 TO 7.49	0.22
		7.50 TO 7.83	0.23
		7.84 TO 8.16	0.24
		8.17 TO 8.49	0.25
		8.50 TO 8.83	0.26
		8.84 TO 9.16	0.27
		9.17 TO 9.49	0.28
		9.50 TO 9.83	0.29

3 1/8% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.15	0.00
0.16 TO 0.47	0.01
0.48 TO 0.79	0.02
0.80 TO 1.11	0.03
1.12 TO 1.43	0.04
1.44 TO 1.75	0.05
1.76 TO 2.07	0.06
2.08 TO 2.39	0.07
2.40 TO 2.71	0.08
2.72 TO 3.03	0.09
3.04 TO 3.35	0.10
3.36 TO 3.67	0.11
3.68 TO 3.99	0.12
4.00 TO 4.31	0.13
4.32 TO 4.63	0.14
4.64 TO 4.95	0.15
4.96 TO 5.27	0.16
5.28 TO 5.59	0.17
5.60 TO 5.91	0.18
5.92 TO 6.23	0.19
6.24 TO 6.55	0.20
6.56 TO 6.87	0.21

3% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.16	0.00
0.17 TO 0.49	0.01
0.50 TO 0.83	0.02
0.84 TO 1.16	0.03
1.17 TO 1.49	0.04
1.50 TO 1.83	0.05
1.84 TO 2.16	0.06
2.17 TO 2.49	0.07

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6.88 TO 7.19 0.22
7.20 TO 7.51 0.23
7.52 TO 7.83 0.24
7.84 TO 8.15 0.25
8.16 TO 8.47 0.26
8.48 TO 8.79 0.27
8.80 TO 9.11 0.28
9.12 TO 9.43 0.29
9.44 TO 9.75 0.30

3 1/4% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.15	0.00
0.16 TO 0.46	0.01
0.47 TO 0.76	0.02
0.77 TO 1.07	0.03
1.08 TO 1.38	0.04
1.39 TO 1.69	0.05
1.70 TO 1.99	0.06
2.00 TO 2.30	0.07
2.31 TO 2.61	0.08
2.62 TO 2.92	0.09
2.93 TO 3.23	0.10
3.24 TO 3.53	0.11
3.54 TO 3.84	0.12
3.85 TO 4.15	0.13
4.16 TO 4.46	0.14
4.47 TO 4.76	0.15
4.77 TO 5.07	0.16
5.08 TO 5.38	0.17
5.39 TO 5.69	0.18
5.70 TO 5.99	0.19
6.00 TO 6.30	0.20
6.31 TO 6.61	0.21
6.62 TO 6.92	0.22
6.93 TO 7.23	0.23
7.24 TO 7.53	0.24
7.54 TO 7.84	0.25
7.85 TO 8.15	0.26
8.16 TO 8.46	0.27
8.47 TO 8.76	0.28
8.77 TO 9.07	0.29
9.08 TO 9.38	0.30
9.39 TO 9.69	0.31
9.70 TO 9.99	0.32

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3 1/2% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.14	0.00
0.15 TO 0.42	0.01
0.43 TO 0.71	0.02
0.72 TO 0.99	0.03
1.00 TO 1.28	0.04
1.29 TO 1.57	0.05
1.58 TO 1.85	0.06
1.86 TO 2.14	0.07
2.15 TO 2.42	0.08
2.43 TO 2.71	0.09
2.72 TO 2.99	0.10
3.00 TO 3.28	0.11
3.29 TO 3.57	0.12
3.58 TO 3.85	0.13
3.86 TO 4.14	0.14
4.15 TO 4.42	0.15
4.43 TO 4.71	0.16
4.72 TO 4.99	0.17
5.00 TO 5.28	0.18
5.29 TO 5.57	0.19
5.58 TO 5.85	0.20
5.86 TO 6.14	0.21
6.15 TO 6.42	0.22
6.43 TO 6.71	0.23
6.72 TO 6.99	0.24
7.00 TO 7.28	0.25
7.29 TO 7.57	0.26
7.58 TO 7.85	0.27
7.86 TO 8.14	0.28
8.15 TO 8.42	0.29
8.43 TO 8.71	0.30
8.72 TO 8.99	0.31
9.00 TO 9.28	0.32
9.29 TO 9.57	0.33
9.58 TO 9.85	0.34

3 3/4% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.13	0.00
0.14 TO 0.39	0.01
0.40 TO 0.66	0.02
0.67 TO 0.93	0.03
0.94 TO 1.19	0.04
1.20 TO 1.46	0.05

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1.47	TO	1.73	0.06
1.74	TO	1.99	0.07
2.00	TO	2.26	0.08
2.27	TO	2.53	0.09
2.54	TO	2.79	0.10
2.80	TO	3.06	0.11
3.07	TO	3.33	0.12
3.34	TO	3.59	0.13
3.60	TO	3.86	0.14
3.87	TO	4.13	0.15
4.14	TO	4.39	0.16
4.40	TO	4.66	0.17
4.67	TO	4.93	0.18
4.94	TO	5.19	0.19
5.20	TO	5.46	0.20
5.47	TO	5.73	0.21
5.74	TO	5.99	0.22
6.00	TO	6.26	0.23
6.27	TO	6.53	0.24
6.54	TO	6.79	0.25
6.80	TO	7.06	0.26
7.07	TO	7.33	0.27
7.34	TO	7.59	0.28
7.60	TO	7.86	0.29
7.87	TO	8.13	0.30
8.14	TO	8.39	0.31
8.40	TO	8.66	0.32
8.67	TO	8.93	0.33
8.94	TO	9.19	0.34
9.20	TO	9.46	0.35
9.47	TO	9.73	0.36
9.74	TO	9.99	0.37

4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00	TO	0.12	0.00
0.13	TO	0.37	0.01
0.38	TO	0.62	0.02
0.63	TO	0.87	0.03
0.88	TO	1.12	0.04
1.13	TO	1.37	0.05
1.38	TO	1.62	0.06
1.63	TO	1.87	0.07
1.88	TO	2.12	0.08
2.13	TO	2.37	0.09
2.38	TO	2.62	0.10
2.63	TO	2.87	0.11

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2.88	TO	3.12	0.12
3.13	TO	3.37	0.13
3.38	TO	3.62	0.14
3.63	TO	3.87	0.15
3.88	TO	4.12	0.16
4.13	TO	4.37	0.17
4.38	TO	4.62	0.18
4.63	TO	4.87	0.19
4.88	TO	5.12	0.20
5.13	TO	5.37	0.21
5.38	TO	5.62	0.22
5.63	TO	5.87	0.23
5.88	TO	6.12	0.24
6.13	TO	6.37	0.25
6.38	TO	6.62	0.26
6.63	TO	6.87	0.27
6.88	TO	7.12	0.28
7.13	TO	7.37	0.29
7.38	TO	7.62	0.30
7.63	TO	7.87	0.31
7.88	TO	8.12	0.32
8.13	TO	8.37	0.33
8.38	TO	8.62	0.34
8.63	TO	8.87	0.35
8.88	TO	9.12	0.36
9.13	TO	9.37	0.37
9.38	TO	9.62	0.38
9.63	TO	9.87	0.39

4 1/8% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00	TO	0.12	0.00
0.13	TO	0.36	0.01
0.37	TO	0.60	0.02
0.61	TO	0.84	0.03
0.85	TO	1.09	0.04
1.10	TO	1.33	0.05
1.34	TO	1.57	0.06
1.58	TO	1.81	0.07
1.82	TO	2.06	0.08
2.07	TO	2.30	0.09
2.31	TO	2.54	0.10
2.55	TO	2.78	0.11
2.79	TO	3.03	0.12
3.04	TO	3.27	0.13
3.28	TO	3.51	0.14
3.52	TO	3.75	0.15

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3.76 TO 3.99 0.16
4.00 TO 4.24 0.17
4.25 TO 4.48 0.18
4.49 TO 4.72 0.19
4.73 TO 4.96 0.20
4.97 TO 5.21 0.21
5.22 TO 5.45 0.22
5.46 TO 5.69 0.23
5.70 TO 5.93 0.24
5.94 TO 6.18 0.25
6.19 TO 6.42 0.26
6.43 TO 6.66 0.27
6.67 TO 6.90 0.28
6.91 TO 7.15 0.29
7.16 TO 7.39 0.30
7.40 TO 7.63 0.31
7.64 TO 7.87 0.32
7.88 TO 8.12 0.33
8.13 TO 8.36 0.34
8.37 TO 8.60 0.35
8.61 TO 8.84 0.36
8.85 TO 9.09 0.37
9.10 TO 9.33 0.38
9.34 TO 9.57 0.39
9.58 TO 9.81 0.40

4 1/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.11 0.00
0.12 TO 0.35 0.01
0.36 TO 0.58 0.02
0.59 TO 0.82 0.03
0.83 TO 1.05 0.04
1.06 TO 1.29 0.05
1.30 TO 1.52 0.06
1.53 TO 1.76 0.07
1.77 TO 1.99 0.08
2.00 TO 2.23 0.09
2.24 TO 2.47 0.10
2.48 TO 2.70 0.11
2.71 TO 2.94 0.12
2.95 TO 3.17 0.13
3.18 TO 3.41 0.14
3.42 TO 3.64 0.15
3.65 TO 3.88 0.16
3.89 TO 4.11 0.17
4.12 TO 4.35 0.18

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4.36 TO 4.58 0.19
4.59 TO 4.82 0.20
4.83 TO 5.05 0.21
5.06 TO 5.29 0.22
5.30 TO 5.52 0.23
5.53 TO 5.76 0.24
5.77 TO 5.99 0.25
6.00 TO 6.23 0.26
6.24 TO 6.47 0.27
6.48 TO 6.70 0.28
6.71 TO 6.94 0.29
6.95 TO 7.17 0.30
7.18 TO 7.41 0.31
7.42 TO 7.64 0.32
7.65 TO 7.88 0.33
7.89 TO 8.11 0.34
8.12 TO 8.35 0.35
8.36 TO 8.58 0.36
8.59 TO 8.82 0.37
8.83 TO 9.05 0.38
9.06 TO 9.29 0.39
9.30 TO 9.52 0.40
9.53 TO 9.76 0.41
9.77 TO 9.99 0.42

4 1/2% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.11 0.00
0.12 TO 0.33 0.01
0.34 TO 0.55 0.02
0.56 TO 0.77 0.03
0.78 TO 0.99 0.04
1.00 TO 1.22 0.05
1.23 TO 1.44 0.06
1.45 TO 1.66 0.07
1.67 TO 1.88 0.08
1.89 TO 2.11 0.09
2.12 TO 2.33 0.10
2.34 TO 2.55 0.11
2.56 TO 2.77 0.12
2.78 TO 2.99 0.13
3.00 TO 3.22 0.14
3.23 TO 3.44 0.15
3.45 TO 3.66 0.16
3.67 TO 3.88 0.17
3.89 TO 4.11 0.18
4.12 TO 4.33 0.19

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

4.34 TO 4.55
4.56 TO 4.77
4.78 TO 4.99
5.00 TO 5.22
5.23 TO 5.44
5.45 TO 5.66
5.67 TO 5.88
5.89 TO 6.11
6.12 TO 6.33
6.34 TO 6.55
6.56 TO 6.77
6.78 TO 6.99
7.00 TO 7.22
7.23 TO 7.44
7.45 TO 7.66
7.67 TO 7.88
7.89 TO 8.11
8.12 TO 8.33
8.34 TO 8.55
8.56 TO 8.77
8.78 TO 8.99
9.00 TO 9.22
9.23 TO 9.44
9.45 TO 9.66
9.67 TO 9.88

0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44

4 3/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.10
0.11 TO 0.31
0.32 TO 0.52
0.53 TO 0.73
0.74 TO 0.94
0.95 TO 1.15
1.16 TO 1.36
1.37 TO 1.57
1.58 TO 1.78
1.79 TO 1.99
2.00 TO 2.21
2.22 TO 2.42
2.43 TO 2.63
2.64 TO 2.84
2.85 TO 3.05
3.06 TO 3.26
3.27 TO 3.47
3.48 TO 3.68
3.69 TO 3.89

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

3.90 TO 4.10
4.11 TO 4.31
4.32 TO 4.52
4.53 TO 4.73
4.74 TO 4.94
4.95 TO 5.15
5.16 TO 5.36
5.37 TO 5.57
5.58 TO 5.78
5.79 TO 5.99
6.00 TO 6.21
6.22 TO 6.42
6.43 TO 6.63
6.64 TO 6.84
6.85 TO 7.05
7.06 TO 7.26
7.27 TO 7.47
7.48 TO 7.68
7.69 TO 7.89
7.90 TO 8.10
8.11 TO 8.31
8.32 TO 8.52
8.53 TO 8.73
8.74 TO 8.94
8.95 TO 9.15
9.16 TO 9.36
9.37 TO 9.57
9.58 TO 9.78
9.79 TO 9.99

0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47

5% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.09
0.10 TO 0.29
0.30 TO 0.49
0.50 TO 0.69
0.70 TO 0.89
0.90 TO 1.09
1.10 TO 1.29
1.30 TO 1.49
1.50 TO 1.69
1.70 TO 1.89
1.90 TO 2.09
2.10 TO 2.29
2.30 TO 2.49
2.50 TO 2.69
2.70 TO 2.89

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

2.90 TO 3.09 0.15
3.10 TO 3.29 0.16
3.30 TO 3.49 0.17
3.50 TO 3.69 0.18
3.70 TO 3.89 0.19
3.90 TO 4.09 0.20
4.10 TO 4.29 0.21
4.30 TO 4.49 0.22
4.50 TO 4.69 0.23
4.70 TO 4.89 0.24
4.90 TO 5.09 0.25
5.10 TO 5.29 0.26
5.30 TO 5.49 0.27
5.50 TO 5.69 0.28
5.70 TO 5.89 0.29
5.90 TO 6.09 0.30
6.10 TO 6.29 0.31
6.30 TO 6.49 0.32
6.50 TO 6.69 0.33
6.70 TO 6.89 0.34
6.90 TO 7.09 0.35
7.10 TO 7.29 0.36
7.30 TO 7.49 0.37
7.50 TO 7.69 0.38
7.70 TO 7.89 0.39
7.90 TO 8.09 0.40
8.10 TO 8.29 0.41
8.30 TO 8.49 0.42
8.50 TO 8.69 0.43
8.70 TO 8.89 0.44
8.90 TO 9.09 0.45
9.10 TO 9.29 0.46
9.30 TO 9.49 0.47
9.50 TO 9.69 0.48
9.70 TO 9.89 0.49

5 1/8% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.09 0.00
0.10 TO 0.29 0.01
0.30 TO 0.48 0.02
0.49 TO 0.68 0.03
0.69 TO 0.87 0.04
0.88 TO 1.07 0.05
1.08 TO 1.26 0.06
1.27 TO 1.46 0.07
1.47 TO 1.65 0.08

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

1.66 TO 1.85 0.09
1.86 TO 2.04 0.10
2.05 TO 2.24 0.11
2.25 TO 2.43 0.12
2.44 TO 2.63 0.13
2.64 TO 2.82 0.14
2.83 TO 3.02 0.15
3.03 TO 3.21 0.16
3.22 TO 3.41 0.17
3.42 TO 3.60 0.18
3.61 TO 3.80 0.19
3.81 TO 3.99 0.20
4.00 TO 4.19 0.21
4.20 TO 4.39 0.22
4.40 TO 4.58 0.23
4.59 TO 4.78 0.24
4.79 TO 4.97 0.25
4.98 TO 5.17 0.26
5.18 TO 5.36 0.27
5.37 TO 5.56 0.28
5.57 TO 5.75 0.29
5.76 TO 5.95 0.30
5.96 TO 6.14 0.31
6.15 TO 6.34 0.32
6.35 TO 6.53 0.33
6.54 TO 6.73 0.34
6.74 TO 6.92 0.35
6.93 TO 7.12 0.36
7.13 TO 7.31 0.37
7.32 TO 7.51 0.38
7.52 TO 7.70 0.39
7.71 TO 7.90 0.40
7.91 TO 8.09 0.41
8.10 TO 8.29 0.42
8.30 TO 8.48 0.43
8.49 TO 8.68 0.44
8.69 TO 8.87 0.45
8.88 TO 9.07 0.46
9.08 TO 9.26 0.47
9.27 TO 9.46 0.48
9.47 TO 9.65 0.49
9.66 TO 9.85 0.50

5 1/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.09 0.00
0.10 TO 0.28 0.01

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

0.29	TO	0.47	0.02
0.48	TO	0.66	0.03
0.67	TO	0.85	0.04
0.86	TO	1.04	0.05
1.05	TO	1.23	0.06
1.24	TO	1.42	0.07
1.43	TO	1.61	0.08
1.62	TO	1.80	0.09
1.81	TO	1.99	0.10
2.00	TO	2.19	0.11
2.20	TO	2.38	0.12
2.39	TO	2.57	0.13
2.58	TO	2.76	0.14
2.77	TO	2.95	0.15
2.96	TO	3.14	0.16
3.15	TO	3.33	0.17
3.34	TO	3.52	0.18
3.53	TO	3.71	0.19
3.72	TO	3.90	0.20
3.91	TO	4.09	0.21
4.10	TO	4.28	0.22
4.29	TO	4.47	0.23
4.48	TO	4.66	0.24
4.67	TO	4.85	0.25
4.86	TO	5.04	0.26
5.05	TO	5.23	0.27
5.24	TO	5.42	0.28
5.43	TO	5.61	0.29
5.62	TO	5.80	0.30
5.81	TO	5.99	0.31
6.00	TO	6.19	0.32
6.20	TO	6.38	0.33
6.39	TO	6.57	0.34
6.58	TO	6.76	0.35
6.77	TO	6.95	0.36
6.96	TO	7.14	0.37
7.15	TO	7.33	0.38
7.34	TO	7.52	0.39
7.53	TO	7.71	0.40
7.72	TO	7.90	0.41
7.91	TO	8.09	0.42
8.10	TO	8.28	0.43
8.29	TO	8.47	0.44
8.48	TO	8.66	0.45
8.67	TO	8.85	0.46
8.86	TO	9.04	0.47
9.05	TO	9.23	0.48
9.24	TO	9.42	0.49
9.43	TO	9.61	0.50

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

9.62	TO	9.80	0.51
9.81	TO	9.99	0.52

5 1/2% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.09	0.00
0.10 TO 0.27	0.01
0.28 TO 0.45	0.02
0.46 TO 0.63	0.03
0.64 TO 0.81	0.04
0.82 TO 0.99	0.05
1.00 TO 1.18	0.06
1.19 TO 1.36	0.07
1.37 TO 1.54	0.08
1.55 TO 1.72	0.09
1.73 TO 1.90	0.10
1.91 TO 2.09	0.11
2.10 TO 2.27	0.12
2.28 TO 2.45	0.13
2.46 TO 2.63	0.14
2.64 TO 2.81	0.15
2.82 TO 2.99	0.16
3.00 TO 3.18	0.17
3.19 TO 3.36	0.18
3.37 TO 3.54	0.19
3.55 TO 3.72	0.20
3.73 TO 3.90	0.21
3.91 TO 4.09	0.22
4.10 TO 4.27	0.23
4.28 TO 4.45	0.24
4.46 TO 4.63	0.25
4.64 TO 4.81	0.26
4.82 TO 4.99	0.27
5.00 TO 5.18	0.28
5.19 TO 5.36	0.29
5.37 TO 5.54	0.30
5.55 TO 5.72	0.31
5.73 TO 5.90	0.32
5.91 TO 6.09	0.33
6.10 TO 6.27	0.34
6.28 TO 6.45	0.35
6.46 TO 6.63	0.36
6.64 TO 6.81	0.37
6.82 TO 6.99	0.38
7.00 TO 7.18	0.39
7.19 TO 7.36	0.40
7.37 TO 7.54	0.41

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

7.55 TO 7.72
7.73 TO 7.90
7.91 TO 8.09
8.10 TO 8.27
8.28 TO 8.45
8.46 TO 8.63
8.64 TO 8.81
8.82 TO 8.99
9.00 TO 9.18
9.19 TO 9.36
9.37 TO 9.54
9.55 TO 9.72
9.73 TO 9.90

0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54

5 3/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.08
0.09 TO 0.26
0.27 TO 0.43
0.44 TO 0.60
0.61 TO 0.78
0.79 TO 0.95
0.96 TO 1.13
1.14 TO 1.30
1.31 TO 1.47
1.48 TO 1.65
1.66 TO 1.82
1.83 TO 1.99
2.00 TO 2.17
2.18 TO 2.34
2.35 TO 2.52
2.53 TO 2.69
2.70 TO 2.86
2.87 TO 3.04
3.05 TO 3.21
3.22 TO 3.39
3.40 TO 3.56
3.57 TO 3.73
3.74 TO 3.91
3.92 TO 4.08
4.09 TO 4.26
4.27 TO 4.43
4.44 TO 4.60
4.61 TO 4.78
4.79 TO 4.95
4.96 TO 5.13
5.14 TO 5.30

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

5.31 TO 5.47
5.48 TO 5.65
5.66 TO 5.82
5.83 TO 5.99
6.00 TO 6.17
6.18 TO 6.34
6.35 TO 6.52
6.53 TO 6.69
6.70 TO 6.86
6.87 TO 7.04
7.05 TO 7.21
7.22 TO 7.39
7.40 TO 7.56
7.57 TO 7.73
7.74 TO 7.91
7.92 TO 8.08
8.09 TO 8.26
8.27 TO 8.43
8.44 TO 8.60
8.61 TO 8.78
8.79 TO 8.95
8.96 TO 9.13
9.14 TO 9.30
9.31 TO 9.47
9.48 TO 9.65
9.66 TO 9.82

0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56

6% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.08
0.09 TO 0.24
0.25 TO 0.41
0.42 TO 0.58
0.59 TO 0.74
0.75 TO 0.91
0.92 TO 1.08
1.09 TO 1.24
1.25 TO 1.41
1.42 TO 1.58
1.59 TO 1.74
1.75 TO 1.91
1.92 TO 2.08
2.09 TO 2.24
2.25 TO 2.41
2.42 TO 2.58
2.59 TO 2.74
2.75 TO 2.91

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17

1973		1974	
ILLINOIS REGISTER		ILLINOIS REGISTER	
93		93	
DEPARTMENT OF REVENUE		DEPARTMENT OF REVENUE	
NOTICE OF ADOPTED AMENDMENT(S)		NOTICE OF ADOPTED AMENDMENT(S)	
2.92 TO 3.08	0.18	0.25 TO 0.40	0.02
3.09 TO 3.24	0.19	0.41 TO 0.57	0.03
3.25 TO 3.41	0.20	0.58 TO 0.73	0.04
3.42 TO 3.58	0.21	0.74 TO 0.89	0.05
3.59 TO 3.74	0.22	0.90 TO 1.06	0.06
3.75 TO 3.91	0.23	1.07 TO 1.22	0.07
3.92 TO 4.08	0.24	1.23 TO 1.38	0.08
4.09 TO 4.24	0.25	1.39 TO 1.55	0.09
4.25 TO 4.41	0.26	1.56 TO 1.71	0.10
4.42 TO 4.58	0.27	1.72 TO 1.87	0.11
4.59 TO 4.74	0.28	1.88 TO 2.04	0.12
4.75 TO 4.91	0.29	2.05 TO 2.20	0.13
4.92 TO 5.08	0.30	2.21 TO 2.36	0.14
5.09 TO 5.24	0.31	2.37 TO 2.53	0.15
5.25 TO 5.41	0.32	2.54 TO 2.69	0.16
5.42 TO 5.58	0.33	2.70 TO 2.85	0.17
5.59 TO 5.74	0.34	2.86 TO 3.02	0.18
5.75 TO 5.91	0.35	3.03 TO 3.18	0.19
5.92 TO 6.08	0.36	3.19 TO 3.34	0.20
6.09 TO 6.24	0.37	3.35 TO 3.51	0.21
6.25 TO 6.41	0.38	3.52 TO 3.67	0.22
6.42 TO 6.58	0.39	3.68 TO 3.83	0.23
6.59 TO 6.74	0.40	3.84 TO 3.99	0.24
6.75 TO 6.91	0.41	4.00 TO 4.16	0.25
6.92 TO 7.08	0.42	4.17 TO 4.32	0.26
7.09 TO 7.24	0.43	4.33 TO 4.48	0.27
7.25 TO 7.41	0.44	4.49 TO 4.65	0.28
7.42 TO 7.58	0.45	4.66 TO 4.81	0.29
7.59 TO 7.74	0.46	4.82 TO 4.97	0.30
7.75 TO 7.91	0.47	4.98 TO 5.14	0.31
7.92 TO 8.08	0.48	5.15 TO 5.30	0.32
8.09 TO 8.24	0.49	5.31 TO 5.46	0.33
8.25 TO 8.41	0.50	5.47 TO 5.63	0.34
8.42 TO 8.58	0.51	5.64 TO 5.79	0.35
8.59 TO 8.74	0.52	5.80 TO 5.95	0.36
8.75 TO 8.91	0.53	5.96 TO 6.12	0.37
8.92 TO 9.08	0.54	6.13 TO 6.28	0.38
9.09 TO 9.24	0.55	6.29 TO 6.44	0.39
9.25 TO 9.41	0.56	6.45 TO 6.61	0.40
9.42 TO 9.58	0.57	6.62 TO 6.77	0.41
9.59 TO 9.74	0.58	6.78 TO 6.93	0.42
9.75 TO 9.91	0.59	6.94 TO 7.10	0.43
		7.11 TO 7.26	0.44
		7.27 TO 7.42	0.45
		7.43 TO 7.59	0.46
		7.60 TO 7.75	0.47
		7.76 TO 7.91	0.48
		7.92 TO 8.08	0.49
		8.09 TO 8.24	0.50
6 1/8% Tax Rate			
IF TRANSACTION IS:		TAX IS:	
0.00 TO 0.08		0.00	
0.09 TO 0.24		0.01	

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

8.25 TO 8.40
8.41 TO 8.57
8.58 TO 8.73
8.74 TO 8.89
8.90 TO 9.06
9.07 TO 9.22
9.23 TO 9.38
9.39 TO 9.55
9.56 TO 9.71
9.72 TO 9.87

0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60

6 1/4% Tax Rate

IF TRANSACTION IS:
0.00 TO 0.07
0.08 TO 0.23
0.24 TO 0.39
0.40 TO 0.55
0.56 TO 0.71
0.72 TO 0.87
0.88 TO 1.03
1.04 TO 1.19
1.20 TO 1.35
1.36 TO 1.51
1.52 TO 1.67
1.68 TO 1.83
1.84 TO 1.99
2.00 TO 2.15
2.16 TO 2.31
2.32 TO 2.47
2.48 TO 2.63
2.64 TO 2.79
2.80 TO 2.95
2.96 TO 3.11
3.12 TO 3.27
3.28 TO 3.43
3.44 TO 3.59
3.60 TO 3.75
3.76 TO 3.91
3.92 TO 4.07
4.08 TO 4.23
4.24 TO 4.39
4.40 TO 4.55
4.56 TO 4.71
4.72 TO 4.87
4.88 TO 5.03
5.04 TO 5.19
5.20 TO 5.35

TAX IS:
0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

5.36 TO 5.51
5.52 TO 5.67
5.68 TO 5.83
5.84 TO 5.99
6.00 TO 6.15
6.16 TO 6.31
6.32 TO 6.47
6.48 TO 6.63
6.64 TO 6.79
6.80 TO 6.95
6.96 TO 7.11
7.12 TO 7.27
7.28 TO 7.43
7.44 TO 7.59
7.60 TO 7.75
7.76 TO 7.91
7.92 TO 8.07
8.08 TO 8.23
8.24 TO 8.39
8.40 TO 8.55
8.56 TO 8.71
8.72 TO 8.87
8.88 TO 9.03
9.04 TO 9.19
9.20 TO 9.35
9.36 TO 9.51
9.52 TO 9.67
9.68 TO 9.83
9.84 TO 9.99

0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62

6 1/2% Tax Rate

IF TRANSACTION IS:
0.00 TO 0.07
0.08 TO 0.23
0.24 TO 0.38
0.39 TO 0.53
0.54 TO 0.69
0.70 TO 0.84
0.85 TO 0.99
1.00 TO 1.15
1.16 TO 1.30
1.31 TO 1.46
1.47 TO 1.61
1.62 TO 1.76
1.77 TO 1.92
1.93 TO 2.07
2.08 TO 2.23

TAX IS:
0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

2.24 TO 2.38 0.15
2.39 TO 2.53 0.16
2.54 TO 2.69 0.17
2.70 TO 2.84 0.18
2.85 TO 2.99 0.19
3.00 TO 3.15 0.20
3.16 TO 3.30 0.21
3.31 TO 3.46 0.22
3.47 TO 3.61 0.23
3.62 TO 3.76 0.24
3.77 TO 3.92 0.25
3.93 TO 4.07 0.26
4.08 TO 4.23 0.27
4.24 TO 4.38 0.28
4.39 TO 4.53 0.29
4.54 TO 4.69 0.30
4.70 TO 4.84 0.31
4.85 TO 4.99 0.32
5.00 TO 5.15 0.33
5.16 TO 5.30 0.34
5.31 TO 5.46 0.35
5.47 TO 5.61 0.36
5.62 TO 5.76 0.37
5.77 TO 5.92 0.38
5.93 TO 6.07 0.39
6.08 TO 6.23 0.40
6.24 TO 6.38 0.41
6.39 TO 6.53 0.42
6.54 TO 6.69 0.43
6.70 TO 6.84 0.44
6.85 TO 6.99 0.45
7.00 TO 7.15 0.46
7.16 TO 7.30 0.47
7.31 TO 7.46 0.48
7.47 TO 7.61 0.49
7.62 TO 7.76 0.50
7.77 TO 7.92 0.51
7.93 TO 8.07 0.52
8.08 TO 8.23 0.53
8.24 TO 8.38 0.54
8.39 TO 8.53 0.55
8.54 TO 8.69 0.56
8.70 TO 8.84 0.57
8.85 TO 8.99 0.58
9.00 TO 9.15 0.59
9.16 TO 9.30 0.60
9.31 TO 9.46 0.61
9.47 TO 9.61 0.62
9.62 TO 9.76 0.63

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

9.77 TO 9.92 0.64

6 3/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.07 0.00
0.08 TO 0.22 0.01
0.23 TO 0.37 0.02
0.38 TO 0.51 0.03
0.52 TO 0.66 0.04
0.67 TO 0.81 0.05
0.82 TO 0.96 0.06
0.97 TO 1.11 0.07
1.12 TO 1.25 0.08
1.26 TO 1.40 0.09
1.41 TO 1.55 0.10
1.56 TO 1.70 0.11
1.71 TO 1.85 0.12
1.86 TO 1.99 0.13
2.00 TO 2.14 0.14
2.15 TO 2.29 0.15
2.30 TO 2.44 0.16
2.45 TO 2.59 0.17
2.60 TO 2.74 0.18
2.75 TO 2.88 0.19
2.89 TO 3.03 0.20
3.04 TO 3.18 0.21
3.19 TO 3.33 0.22
3.34 TO 3.48 0.23
3.49 TO 3.62 0.24
3.63 TO 3.77 0.25
3.78 TO 3.92 0.26
3.93 TO 4.07 0.27
4.08 TO 4.22 0.28
4.23 TO 4.37 0.29
4.38 TO 4.51 0.30
4.52 TO 4.66 0.31
4.67 TO 4.81 0.32
4.82 TO 4.96 0.33
4.97 TO 5.11 0.34
5.12 TO 5.25 0.35
5.26 TO 5.40 0.36
5.41 TO 5.55 0.37
5.56 TO 5.70 0.38
5.71 TO 5.85 0.39
5.86 TO 5.99 0.40
6.00 TO 6.14 0.41
6.15 TO 6.29 0.42

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

6.30 TO 6.44	0.43	2.65 TO 2.78	0.19
6.45 TO 6.59	0.44	2.79 TO 2.92	0.20
6.60 TO 6.74	0.45	2.93 TO 3.07	0.21
6.75 TO 6.88	0.46	3.08 TO 3.21	0.22
6.89 TO 7.03	0.47	3.22 TO 3.35	0.23
7.04 TO 7.18	0.48	3.36 TO 3.49	0.24
7.19 TO 7.33	0.49	3.50 TO 3.64	0.25
7.34 TO 7.48	0.50	3.65 TO 3.78	0.26
7.49 TO 7.62	0.51	3.79 TO 3.92	0.27
7.63 TO 7.77	0.52	3.93 TO 4.07	0.28
7.78 TO 7.92	0.53	4.08 TO 4.21	0.29
7.93 TO 8.07	0.54	4.22 TO 4.35	0.30
8.08 TO 8.22	0.55	4.36 TO 4.49	0.31
8.23 TO 8.37	0.56	4.50 TO 4.64	0.32
8.38 TO 8.51	0.57	4.65 TO 4.78	0.33
8.52 TO 8.66	0.58	4.79 TO 4.92	0.34
8.67 TO 8.81	0.59	4.93 TO 5.07	0.35
8.82 TO 8.96	0.60	5.08 TO 5.21	0.36
8.97 TO 9.11	0.61	5.22 TO 5.35	0.37
9.12 TO 9.25	0.62	5.36 TO 5.49	0.38
9.26 TO 9.40	0.63	5.50 TO 5.64	0.39
9.41 TO 9.55	0.64	5.65 TO 5.78	0.40
9.56 TO 9.70	0.65	5.79 TO 5.92	0.41
9.71 TO 9.85	0.66	5.93 TO 6.07	0.42
9.86 TO 9.99	0.67	6.08 TO 6.21	0.43
		6.22 TO 6.35	0.44
		6.36 TO 6.49	0.45
		6.50 TO 6.64	0.46
		6.65 TO 6.78	0.47
		6.79 TO 6.92	0.48
		6.93 TO 7.07	0.49
		7.08 TO 7.21	0.50
		7.22 TO 7.35	0.51
		7.36 TO 7.49	0.52
		7.50 TO 7.64	0.53
		7.65 TO 7.78	0.54
		7.79 TO 7.92	0.55
		7.93 TO 8.07	0.56
		8.08 TO 8.21	0.57
		8.22 TO 8.35	0.58
		8.36 TO 8.49	0.59
		8.50 TO 8.64	0.60
		8.65 TO 8.78	0.61
		8.79 TO 8.92	0.62
		8.93 TO 9.07	0.63
		9.08 TO 9.21	0.64
		9.22 TO 9.35	0.65
		9.36 TO 9.49	0.66
		9.50 TO 9.64	0.67

7% Tax Rate

IF TRANSACTION IS:	TAX IS:
0.00 TO 0.07	0.00
0.08 TO 0.21	0.01
0.22 TO 0.35	0.02
0.36 TO 0.49	0.03
0.50 TO 0.64	0.04
0.65 TO 0.78	0.05
0.79 TO 0.92	0.06
0.93 TO 1.07	0.07
1.08 TO 1.21	0.08
1.22 TO 1.35	0.09
1.36 TO 1.49	0.10
1.50 TO 1.64	0.11
1.65 TO 1.78	0.12
1.79 TO 1.92	0.13
1.93 TO 2.07	0.14
2.08 TO 2.21	0.15
2.22 TO 2.35	0.16
2.36 TO 2.49	0.17
2.50 TO 2.64	0.18

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

9.65 TO 9.78
9.79 TO 9.92

0.68
0.69

7 1/8% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.07 0.00
0.08 TO 0.21 0.01
0.22 TO 0.35 0.02
0.36 TO 0.49 0.03
0.50 TO 0.63 0.04
0.64 TO 0.77 0.05
0.78 TO 0.91 0.06
0.92 TO 1.05 0.07
1.06 TO 1.19 0.08
1.20 TO 1.33 0.09
1.34 TO 1.47 0.10
1.48 TO 1.61 0.11
1.62 TO 1.75 0.12
1.76 TO 1.89 0.13
1.90 TO 2.03 0.14
2.04 TO 2.17 0.15
2.18 TO 2.31 0.16
2.32 TO 2.45 0.17
2.46 TO 2.59 0.18
2.60 TO 2.73 0.19
2.74 TO 2.87 0.20
2.88 TO 3.01 0.21
3.02 TO 3.15 0.22
3.16 TO 3.29 0.23
3.30 TO 3.43 0.24
3.44 TO 3.57 0.25
3.58 TO 3.71 0.26
3.72 TO 3.85 0.27
3.86 TO 3.99 0.28
4.00 TO 4.14 0.29
4.15 TO 4.28 0.30
4.29 TO 4.42 0.31
4.43 TO 4.56 0.32
4.57 TO 4.70 0.33
4.71 TO 4.84 0.34
4.85 TO 4.98 0.35
4.99 TO 5.12 0.36
5.13 TO 5.26 0.37
5.27 TO 5.40 0.38
5.41 TO 5.54 0.39
5.55 TO 5.68 0.40
5.69 TO 5.82 0.41

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

5.83 TO 5.96 0.42
5.97 TO 6.10 0.43
6.11 TO 6.24 0.44
6.25 TO 6.38 0.45
6.39 TO 6.52 0.46
6.53 TO 6.66 0.47
6.67 TO 6.80 0.48
6.81 TO 6.94 0.49
6.95 TO 7.08 0.50
7.09 TO 7.22 0.51
7.23 TO 7.36 0.52
7.37 TO 7.50 0.53
7.51 TO 7.64 0.54
7.65 TO 7.78 0.55
7.79 TO 7.92 0.56
7.93 TO 8.07 0.57
8.08 TO 8.21 0.58
8.22 TO 8.35 0.59
8.36 TO 8.49 0.60
8.50 TO 8.63 0.61
8.64 TO 8.77 0.62
8.78 TO 8.91 0.63
8.92 TO 9.05 0.64
9.06 TO 9.19 0.65
9.20 TO 9.33 0.66
9.34 TO 9.47 0.67
9.48 TO 9.61 0.68
9.62 TO 9.75 0.69
9.76 TO 9.89 0.70

7 1/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.06 0.00
0.07 TO 0.20 0.01
0.21 TO 0.34 0.02
0.35 TO 0.48 0.03
0.49 TO 0.62 0.04
0.63 TO 0.75 0.05
0.76 TO 0.89 0.06
0.90 TO 1.03 0.07
1.04 TO 1.17 0.08
1.18 TO 1.31 0.09
1.32 TO 1.44 0.10
1.45 TO 1.58 0.11
1.59 TO 1.72 0.12
1.73 TO 1.86 0.13
1.87 TO 1.99 0.14

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

2.00 TO 2.13
2.14 TO 2.27
2.28 TO 2.41
2.42 TO 2.55
2.56 TO 2.68
2.69 TO 2.82
2.83 TO 2.96
2.97 TO 3.10
3.11 TO 3.24
3.25 TO 3.37
3.38 TO 3.51
3.52 TO 3.65
3.66 TO 3.79
3.80 TO 3.93
3.94 TO 4.06
4.07 TO 4.20
4.21 TO 4.34
4.35 TO 4.48
4.49 TO 4.62
4.63 TO 4.75
4.76 TO 4.89
4.90 TO 5.03
5.04 TO 5.17
5.18 TO 5.31
5.32 TO 5.44
5.45 TO 5.58
5.59 TO 5.72
5.73 TO 5.86
5.87 TO 5.99
6.00 TO 6.13
6.14 TO 6.27
6.28 TO 6.41
6.42 TO 6.55
6.56 TO 6.68
6.69 TO 6.82
6.83 TO 6.96
6.97 TO 7.10
7.11 TO 7.24
7.25 TO 7.37
7.38 TO 7.51
7.52 TO 7.65
7.66 TO 7.79
7.80 TO 7.93
7.94 TO 8.06
8.07 TO 8.20
8.21 TO 8.34
8.35 TO 8.48
8.49 TO 8.62
8.63 TO 8.75

0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63

7 1/2% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.06
0.07 TO 0.19
0.20 TO 0.33
0.34 TO 0.46
0.47 TO 0.59
0.60 TO 0.73
0.74 TO 0.86
0.87 TO 0.99
1.00 TO 1.13
1.14 TO 1.26
1.27 TO 1.39
1.40 TO 1.53
1.54 TO 1.66
1.67 TO 1.79
1.80 TO 1.93
1.94 TO 2.06
2.07 TO 2.19
2.20 TO 2.33
2.34 TO 2.46
2.47 TO 2.59
2.60 TO 2.73
2.74 TO 2.86
2.87 TO 2.99
3.00 TO 3.13
3.14 TO 3.26
3.27 TO 3.39
3.40 TO 3.53
3.54 TO 3.66
3.67 TO 3.79
3.80 TO 3.93
3.94 TO 4.06
4.07 TO 4.19
4.20 TO 4.33
4.34 TO 4.46
4.47 TO 4.59
4.60 TO 4.73

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

4.74 TO 4.86
 4.87 TO 4.99
 5.00 TO 5.13
 5.14 TO 5.26
 5.27 TO 5.39
 5.40 TO 5.53
 5.54 TO 5.66
 5.67 TO 5.79
 5.80 TO 5.93
 5.94 TO 6.06
 6.07 TO 6.19
 6.20 TO 6.33
 6.34 TO 6.46
 6.47 TO 6.59
 6.60 TO 6.73
 6.74 TO 6.86
 6.87 TO 6.99
 7.00 TO 7.13
 7.14 TO 7.26
 7.27 TO 7.39
 7.40 TO 7.53
 7.54 TO 7.66
 7.67 TO 7.79
 7.80 TO 7.93
 7.94 TO 8.06
 8.07 TO 8.19
 8.20 TO 8.33
 8.34 TO 8.46
 8.47 TO 8.59
 8.60 TO 8.73
 8.74 TO 8.86
 8.87 TO 8.99
 9.00 TO 9.13
 9.14 TO 9.26
 9.27 TO 9.39
 9.40 TO 9.53
 9.54 TO 9.66
 9.67 TO 9.79
 9.80 TO 9.93

7 3/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.06
 0.07 TO 0.19
 0.20 TO 0.32
 0.33 TO 0.45
 0.46 TO 0.58

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

0.59 TO 0.70
 0.71 TO 0.83
 0.84 TO 0.96
 0.97 TO 1.09
 1.10 TO 1.22
 1.23 TO 1.35
 1.36 TO 1.48
 1.49 TO 1.61
 1.62 TO 1.74
 1.75 TO 1.87
 1.88 TO 1.99
 2.00 TO 2.12
 2.13 TO 2.25
 2.26 TO 2.38
 2.39 TO 2.51
 2.52 TO 2.64
 2.65 TO 2.77
 2.78 TO 2.90
 2.91 TO 3.03
 3.04 TO 3.16
 3.17 TO 3.29
 3.30 TO 3.41
 3.42 TO 3.54
 3.55 TO 3.67
 3.68 TO 3.80
 3.81 TO 3.93
 3.94 TO 4.06
 4.07 TO 4.19
 4.20 TO 4.32
 4.33 TO 4.45
 4.46 TO 4.58
 4.59 TO 4.70
 4.71 TO 4.83
 4.84 TO 4.96
 4.97 TO 5.09
 5.10 TO 5.22
 5.23 TO 5.35
 5.36 TO 5.48
 5.49 TO 5.61
 5.62 TO 5.74
 5.75 TO 5.87
 5.88 TO 5.99
 6.00 TO 6.12
 6.13 TO 6.25
 6.26 TO 6.38
 6.39 TO 6.51
 6.52 TO 6.64
 6.65 TO 6.77
 6.78 TO 6.90

0.05
 0.06
 0.07
 0.08
 0.09
 0.10
 0.11
 0.12
 0.13
 0.14
 0.15
 0.16
 0.17
 0.18
 0.19
 0.20
 0.21
 0.22
 0.23
 0.24
 0.25
 0.26
 0.27
 0.28
 0.29
 0.30
 0.31
 0.32
 0.33
 0.34
 0.35
 0.36
 0.37
 0.38
 0.39
 0.40
 0.41
 0.42
 0.43
 0.44
 0.45
 0.46
 0.47
 0.48
 0.49
 0.50
 0.51
 0.52
 0.53

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

6.91 TO 7.03 0.54
7.04 TO 7.16 0.55
7.17 TO 7.29 0.56
7.30 TO 7.41 0.57
7.42 TO 7.54 0.58
7.55 TO 7.67 0.59
7.68 TO 7.80 0.60
7.81 TO 7.93 0.61
7.94 TO 8.06 0.62
8.07 TO 8.19 0.63
8.20 TO 8.32 0.64
8.33 TO 8.45 0.65
8.46 TO 8.58 0.66
8.59 TO 8.70 0.67
8.71 TO 8.83 0.68
8.84 TO 8.96 0.69
8.97 TO 9.09 0.70
9.10 TO 9.22 0.71
9.23 TO 9.35 0.72
9.36 TO 9.48 0.73
9.49 TO 9.61 0.74
9.62 TO 9.74 0.75
9.75 TO 9.87 0.76
9.88 TO 9.99 0.77

2.44 TO 2.56
2.57 TO 2.68
2.69 TO 2.81
2.82 TO 2.93
2.94 TO 3.06
3.07 TO 3.18
3.19 TO 3.31
3.32 TO 3.43
3.44 TO 3.56
3.57 TO 3.68
3.69 TO 3.81
3.82 TO 3.93
3.94 TO 4.06
4.07 TO 4.18
4.19 TO 4.31
4.32 TO 4.43
4.44 TO 4.56
4.57 TO 4.68
4.69 TO 4.81
4.82 TO 4.93
4.94 TO 5.06
5.07 TO 5.18
5.19 TO 5.31
5.32 TO 5.43
5.44 TO 5.56
5.57 TO 5.68
5.69 TO 5.81
5.82 TO 5.93
5.94 TO 6.06
6.07 TO 6.18
6.19 TO 6.31
6.32 TO 6.43
6.44 TO 6.56
6.57 TO 6.68
6.69 TO 6.81
6.82 TO 6.93
6.94 TO 7.06
7.07 TO 7.18
7.19 TO 7.31
7.32 TO 7.43
7.44 TO 7.56
7.57 TO 7.68
7.69 TO 7.81
7.82 TO 7.93
7.94 TO 8.06
8.07 TO 8.18
8.19 TO 8.31
8.32 TO 8.43
8.44 TO 8.56

0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
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0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68

8½ Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.06 0.00
0.07 TO 0.18 0.01
0.19 TO 0.31 0.02
0.32 TO 0.43 0.03
0.44 TO 0.56 0.04
0.57 TO 0.68 0.05
0.69 TO 0.81 0.06
0.82 TO 0.93 0.07
0.94 TO 1.06 0.08
1.07 TO 1.18 0.09
1.19 TO 1.31 0.10
1.32 TO 1.43 0.11
1.44 TO 1.56 0.12
1.57 TO 1.68 0.13
1.69 TO 1.81 0.14
1.82 TO 1.93 0.15
1.94 TO 2.06 0.16
2.07 TO 2.18 0.17
2.19 TO 2.31 0.18
2.32 TO 2.43 0.19

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

8.57 TO 8.68 0.69
8.69 TO 8.81 0.70
8.82 TO 8.93 0.71
8.94 TO 9.06 0.72
9.07 TO 9.18 0.73
9.19 TO 9.31 0.74
9.32 TO 9.43 0.75
9.44 TO 9.56 0.76
9.57 TO 9.68 0.77
9.69 TO 9.81 0.78
9.82 TO 9.93 0.79

8 1/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00 TO 0.06 0.00
0.07 TO 0.18 0.01
0.19 TO 0.30 0.02
0.31 TO 0.42 0.03
0.43 TO 0.54 0.04
0.55 TO 0.66 0.05
0.67 TO 0.78 0.06
0.79 TO 0.90 0.07
0.91 TO 1.03 0.08
1.04 TO 1.15 0.09
1.16 TO 1.27 0.10
1.28 TO 1.39 0.11
1.40 TO 1.51 0.12
1.52 TO 1.63 0.13
1.64 TO 1.75 0.14
1.76 TO 1.87 0.15
1.88 TO 1.99 0.16
2.00 TO 2.12 0.17
2.13 TO 2.24 0.18
2.25 TO 2.36 0.19
2.37 TO 2.48 0.20
2.49 TO 2.60 0.21
2.61 TO 2.72 0.22
2.73 TO 2.84 0.23
2.85 TO 2.96 0.24
2.97 TO 3.09 0.25
3.10 TO 3.21 0.26
3.22 TO 3.33 0.27
3.34 TO 3.45 0.28
3.46 TO 3.57 0.29
3.58 TO 3.69 0.30
3.70 TO 3.81 0.31
3.82 TO 3.93 0.32

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

3.94 TO 4.06 0.33
4.07 TO 4.18 0.34
4.19 TO 4.30 0.35
4.31 TO 4.42 0.36
4.43 TO 4.54 0.37
4.55 TO 4.66 0.38
4.67 TO 4.78 0.39
4.79 TO 4.90 0.40
4.91 TO 5.03 0.41
5.04 TO 5.15 0.42
5.16 TO 5.27 0.43
5.28 TO 5.39 0.44
5.40 TO 5.51 0.45
5.52 TO 5.63 0.46
5.64 TO 5.75 0.47
5.76 TO 5.87 0.48
5.88 TO 5.99 0.49
6.00 TO 6.12 0.50
6.13 TO 6.24 0.51
6.25 TO 6.36 0.52
6.37 TO 6.48 0.53
6.49 TO 6.60 0.54
6.61 TO 6.72 0.55
6.73 TO 6.84 0.56
6.85 TO 6.96 0.57
6.97 TO 7.09 0.58
7.10 TO 7.21 0.59
7.22 TO 7.33 0.60
7.34 TO 7.45 0.61
7.46 TO 7.57 0.62
7.58 TO 7.69 0.63
7.70 TO 7.81 0.64
7.82 TO 7.93 0.65
7.94 TO 8.06 0.66
8.07 TO 8.18 0.67
8.19 TO 8.30 0.68
8.31 TO 8.42 0.69
8.43 TO 8.54 0.70
8.55 TO 8.66 0.71
8.67 TO 8.78 0.72
8.79 TO 8.90 0.73
8.91 TO 9.03 0.74
9.04 TO 9.15 0.75
9.16 TO 9.27 0.76
9.28 TO 9.39 0.77
9.40 TO 9.51 0.78
9.52 TO 9.63 0.79
9.64 TO 9.75 0.80
9.76 TO 9.87 0.81

NOTICE OF ADOPTED AMENDMENT(S)

9.88 TO 9.99
10.00 TO 10.12

0.82
0.83

8 1/2% Tax Rate

IF TRANSACTION IS:

0.00 TO 0.05
0.06 TO 0.17
0.18 TO 0.29
0.30 TO 0.41
0.42 TO 0.52
0.53 TO 0.64
0.65 TO 0.76
0.77 TO 0.88
0.89 TO 0.99
1.00 TO 1.11
1.12 TO 1.23
1.24 TO 1.35
1.36 TO 1.47
1.48 TO 1.58
1.59 TO 1.70
1.71 TO 1.82
1.83 TO 1.94
1.95 TO 2.05
2.06 TO 2.17
2.18 TO 2.29
2.30 TO 2.41
2.42 TO 2.52
2.53 TO 2.64
2.65 TO 2.76
2.77 TO 2.88
2.89 TO 2.99
3.00 TO 3.11
3.12 TO 3.23
3.24 TO 3.35
3.36 TO 3.47
3.48 TO 3.58
3.59 TO 3.70
3.71 TO 3.82
3.83 TO 3.94
3.95 TO 4.05
4.06 TO 4.17
4.18 TO 4.29
4.30 TO 4.41
4.42 TO 4.52
4.53 TO 4.64
4.65 TO 4.76
4.77 TO 4.88

TAX IS:

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41

NOTICE OF ADOPTED AMENDMENT(S)

4.89 TO 4.99
5.00 TO 5.11
5.12 TO 5.23
5.24 TO 5.35
5.36 TO 5.47
5.48 TO 5.58
5.59 TO 5.70
5.71 TO 5.82
5.83 TO 5.94
5.95 TO 6.05
6.06 TO 6.17
6.18 TO 6.29
6.30 TO 6.41
6.42 TO 6.52
6.53 TO 6.64
6.65 TO 6.76
6.77 TO 6.88
6.89 TO 6.99
7.00 TO 7.11
7.12 TO 7.23
7.24 TO 7.35
7.36 TO 7.47
7.48 TO 7.58
7.59 TO 7.70
7.71 TO 7.82
7.83 TO 7.94
7.95 TO 8.05
8.06 TO 8.17
8.18 TO 8.29
8.30 TO 8.41
8.42 TO 8.52
8.53 TO 8.64
8.65 TO 8.76
8.77 TO 8.88
8.89 TO 8.99
9.00 TO 9.11
9.12 TO 9.23
9.24 TO 9.35
9.36 TO 9.47
9.48 TO 9.58
9.59 TO 9.70
9.71 TO 9.82
9.83 TO 9.94
9.95 TO 10.00

0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68
0.69
0.70
0.71
0.72
0.73
0.74
0.75
0.76
0.77
0.78
0.79
0.80
0.81
0.82
0.83
0.84
0.85

8 3/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

0.00	TO	0.05
0.06	TO	0.17
0.18	TO	0.28
0.29	TO	0.39
0.40	TO	0.51
0.52	TO	0.62
0.63	TO	0.74
0.75	TO	0.85
0.86	TO	0.97
0.98	TO	1.08
1.09	TO	1.19
1.20	TO	1.31
1.32	TO	1.42
1.43	TO	1.54
1.55	TO	1.65
1.66	TO	1.77
1.78	TO	1.88
1.89	TO	1.99
2.00	TO	2.11
2.12	TO	2.22
2.23	TO	2.34
2.35	TO	2.45
2.46	TO	2.57
2.58	TO	2.68
2.69	TO	2.79
2.80	TO	2.91
2.92	TO	3.02
3.03	TO	3.14
3.15	TO	3.25
3.26	TO	3.37
3.38	TO	3.48
3.49	TO	3.59
3.60	TO	3.71
3.72	TO	3.82
3.83	TO	3.94
3.95	TO	4.05
4.06	TO	4.17
4.18	TO	4.28
4.29	TO	4.39
4.40	TO	4.51
4.52	TO	4.62
4.63	TO	4.74
4.75	TO	4.85
4.86	TO	4.97
4.98	TO	5.08
5.09	TO	5.19
5.20	TO	5.31
5.32	TO	5.42
5.43	TO	5.54

5.55	TO	5.65
5.66	TO	5.77
5.78	TO	5.88
5.89	TO	5.99
6.00	TO	6.11
6.12	TO	6.22
6.23	TO	6.34
6.35	TO	6.45
6.46	TO	6.57
6.58	TO	6.68
6.69	TO	6.79
6.80	TO	6.91
6.92	TO	7.02
7.03	TO	7.14
7.15	TO	7.25
7.26	TO	7.37
7.38	TO	7.48
7.49	TO	7.59
7.60	TO	7.71
7.72	TO	7.82
7.83	TO	7.94
7.95	TO	8.05
8.06	TO	8.17
8.18	TO	8.28
8.29	TO	8.39
8.40	TO	8.51
8.52	TO	8.62
8.63	TO	8.74
8.75	TO	8.85
8.86	TO	8.97
8.98	TO	9.08
9.09	TO	9.19
9.20	TO	9.31
9.32	TO	9.42
9.43	TO	9.54
9.55	TO	9.65
9.66	TO	9.77
9.78	TO	9.88
9.89	TO	9.99
10.00	TO	10.11

9% Tax Rate

IF TRANSACTION IS:

0.00	TO	0.05
0.06	TO	0.16
0.17	TO	0.27
0.28	TO	0.38

TAX IS:

0.00
0.01
0.02
0.03

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68
0.69
0.70
0.71
0.72
0.73
0.74
0.75
0.76
0.77
0.78
0.79
0.80
0.81
0.82
0.83
0.84
0.85
0.86
0.87
0.88

0.39	TO	0.49
0.50	TO	0.61
0.62	TO	0.72
0.73	TO	0.83
0.84	TO	0.94
0.95	TO	1.05
1.06	TO	1.16
1.17	TO	1.27
1.28	TO	1.38
1.39	TO	1.49
1.50	TO	1.61
1.62	TO	1.72
1.73	TO	1.83
1.84	TO	1.94
1.95	TO	2.05
2.06	TO	2.16
2.17	TO	2.27
2.28	TO	2.38
2.39	TO	2.49
2.50	TO	2.61
2.62	TO	2.72
2.73	TO	2.83
2.84	TO	2.94
2.95	TO	3.05
3.06	TO	3.16
3.17	TO	3.27
3.28	TO	3.38
3.39	TO	3.49
3.50	TO	3.61
3.62	TO	3.72
3.73	TO	3.83
3.84	TO	3.94
3.95	TO	4.05
4.06	TO	4.16
4.17	TO	4.27
4.28	TO	4.38
4.39	TO	4.49
4.50	TO	4.61
4.62	TO	4.72
4.73	TO	4.83
4.84	TO	4.94
4.95	TO	5.05
5.06	TO	5.16
5.17	TO	5.27
5.28	TO	5.38
5.39	TO	5.49
5.50	TO	5.61
5.62	TO	5.72
5.73	TO	5.83

0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52

5.84	TO	5.94
5.95	TO	6.05
6.06	TO	6.16
6.17	TO	6.27
6.28	TO	6.38
6.39	TO	6.49
6.50	TO	6.61
6.62	TO	6.72
6.73	TO	6.83
6.84	TO	6.94
6.95	TO	7.05
7.06	TO	7.16
7.17	TO	7.27
7.28	TO	7.38
7.39	TO	7.49
7.50	TO	7.61
7.62	TO	7.72
7.73	TO	7.83
7.84	TO	7.94
7.95	TO	8.05
8.06	TO	8.16
8.17	TO	8.27
8.28	TO	8.38
8.39	TO	8.49
8.50	TO	8.61
8.62	TO	8.72
8.73	TO	8.83
8.84	TO	8.94
8.95	TO	9.05
9.06	TO	9.16
9.17	TO	9.27
9.28	TO	9.38
9.39	TO	9.49
9.50	TO	9.61
9.62	TO	9.72
9.73	TO	9.83
9.84	TO	9.94
9.95	TO	10.00

9 1/4% Tax Rate

IF TRANSACTION IS:		
0.00	TO	0.05
0.06	TO	0.16
0.17	TO	0.27
0.28	TO	0.37
0.38	TO	0.48
0.49	TO	0.59

TAX IS:		
0.00		
0.01		
0.02		
0.03		
0.04		
0.05		

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

0.60	TO	0.70	0.06
0.71	TO	0.81	0.07
0.82	TO	0.91	0.08
0.92	TO	1.02	0.09
1.03	TO	1.13	0.10
1.14	TO	1.24	0.11
1.25	TO	1.35	0.12
1.36	TO	1.45	0.13
1.46	TO	1.56	0.14
1.57	TO	1.67	0.15
1.68	TO	1.78	0.16
1.79	TO	1.89	0.17
1.90	TO	1.99	0.18
2.00	TO	2.10	0.19
2.11	TO	2.21	0.20
2.22	TO	2.32	0.21
2.33	TO	2.43	0.22
2.44	TO	2.54	0.23
2.55	TO	2.64	0.24
2.65	TO	2.75	0.25
2.76	TO	2.86	0.26
2.87	TO	2.97	0.27
2.98	TO	3.08	0.28
3.09	TO	3.18	0.29
3.19	TO	3.29	0.30
3.30	TO	3.40	0.31
3.41	TO	3.51	0.32
3.52	TO	3.62	0.33
3.63	TO	3.72	0.34
3.73	TO	3.83	0.35
3.84	TO	3.94	0.36
3.95	TO	4.05	0.37
4.06	TO	4.16	0.38
4.17	TO	4.27	0.39
4.28	TO	4.37	0.40
4.38	TO	4.48	0.41
4.49	TO	4.59	0.42
4.60	TO	4.70	0.43
4.71	TO	4.81	0.44
4.82	TO	4.91	0.45
4.92	TO	5.02	0.46
5.03	TO	5.13	0.47
5.14	TO	5.24	0.48
5.25	TO	5.35	0.49
5.36	TO	5.45	0.50
5.46	TO	5.56	0.51
5.57	TO	5.67	0.52
5.68	TO	5.78	0.53
5.79	TO	5.89	0.54

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

5.90	TO	5.99	0.55
6.00	TO	6.10	0.56
6.11	TO	6.21	0.57
6.22	TO	6.32	0.58
6.33	TO	6.43	0.59
6.44	TO	6.54	0.60
6.55	TO	6.64	0.61
6.65	TO	6.75	0.62
6.76	TO	6.86	0.63
6.87	TO	6.97	0.64
6.98	TO	7.08	0.65
7.09	TO	7.18	0.66
7.19	TO	7.29	0.67
7.30	TO	7.40	0.68
7.41	TO	7.51	0.69
7.52	TO	7.62	0.70
7.63	TO	7.72	0.71
7.73	TO	7.83	0.72
7.84	TO	7.94	0.73
7.95	TO	8.05	0.74
8.06	TO	8.16	0.75
8.17	TO	8.27	0.76
8.28	TO	8.37	0.77
8.38	TO	8.48	0.78
8.49	TO	8.59	0.79
8.60	TO	8.70	0.80
8.71	TO	8.81	0.81
8.82	TO	8.91	0.82
8.92	TO	9.02	0.83
9.03	TO	9.13	0.84
9.14	TO	9.24	0.85
9.25	TO	9.35	0.86
9.36	TO	9.45	0.87
9.46	TO	9.56	0.88
9.57	TO	9.67	0.89
9.68	TO	9.78	0.90
9.79	TO	9.89	0.91
9.90	TO	9.99	0.92
10.00	TO	10.10	0.93

9 1/2% Tax Rate

IF TRANSACTION IS:

0.00	TO	0.05	0.00
0.06	TO	0.15	0.01
0.16	TO	0.26	0.02
0.27	TO	0.36	0.03
0.37	TO	0.47	0.04

TAX IS:

0.00	0.00
0.01	0.01
0.02	0.02
0.03	0.03
0.04	0.04

NOTICE OF ADOPTED AMENDMENT(S)

0.48	TO	0.57
0.58	TO	0.68
0.69	TO	0.78
0.79	TO	0.89
0.90	TO	0.99
1.00	TO	1.10
1.11	TO	1.21
1.22	TO	1.31
1.32	TO	1.42
1.43	TO	1.52
1.53	TO	1.63
1.64	TO	1.73
1.74	TO	1.84
1.85	TO	1.94
1.95	TO	2.05
2.06	TO	2.15
2.16	TO	2.26
2.27	TO	2.36
2.37	TO	2.47
2.48	TO	2.57
2.58	TO	2.68
2.69	TO	2.78
2.79	TO	2.89
2.90	TO	2.99
3.00	TO	3.10
3.11	TO	3.21
3.22	TO	3.31
3.32	TO	3.42
3.43	TO	3.52
3.53	TO	3.63
3.64	TO	3.73
3.74	TO	3.84
3.85	TO	3.94
3.95	TO	4.05
4.06	TO	4.15
4.16	TO	4.26
4.27	TO	4.36
4.37	TO	4.47
4.48	TO	4.57
4.58	TO	4.68
4.69	TO	4.78
4.79	TO	4.89
4.90	TO	4.99
5.00	TO	5.10
5.11	TO	5.21
5.22	TO	5.31
5.32	TO	5.42
5.43	TO	5.52
5.53	TO	5.63

0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52

NOTICE OF ADOPTED AMENDMENT(S)

5.64	TO	5.73
5.74	TO	5.84
5.85	TO	5.94
5.95	TO	6.05
6.06	TO	6.15
6.16	TO	6.26
6.27	TO	6.36
6.37	TO	6.47
6.48	TO	6.57
6.58	TO	6.68
6.69	TO	6.78
6.79	TO	6.89
6.90	TO	6.99
7.00	TO	7.10
7.11	TO	7.21
7.22	TO	7.31
7.32	TO	7.42
7.43	TO	7.52
7.53	TO	7.63
7.64	TO	7.73
7.74	TO	7.84
7.85	TO	7.94
7.95	TO	8.05
8.06	TO	8.15
8.16	TO	8.26
8.27	TO	8.36
8.37	TO	8.47
8.48	TO	8.57
8.58	TO	8.68
8.69	TO	8.78
8.79	TO	8.89
8.90	TO	8.99
9.00	TO	9.10
9.11	TO	9.21
9.22	TO	9.31
9.32	TO	9.42
9.43	TO	9.52
9.53	TO	9.63
9.64	TO	9.73
9.74	TO	9.84
9.85	TO	9.94
9.95	TO	10.00

9 3/4% Tax Rate

IF TRANSACTION IS:	
0.00	TO 0.05
0.06	TO 0.15

TAX IS:	
0.00	
0.01	

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

0.16 TO 0.25
0.26 TO 0.35
0.36 TO 0.46
0.47 TO 0.56
0.57 TO 0.66
0.67 TO 0.76
0.77 TO 0.87
0.88 TO 0.97
0.98 TO 1.07
1.08 TO 1.17
1.18 TO 1.28
1.29 TO 1.38
1.39 TO 1.48
1.49 TO 1.58
1.59 TO 1.69
1.70 TO 1.79
1.80 TO 1.89
1.90 TO 1.99
2.00 TO 2.10
2.11 TO 2.20
2.21 TO 2.30
2.31 TO 2.41
2.42 TO 2.51
2.52 TO 2.61
2.62 TO 2.71
2.72 TO 2.82
2.83 TO 2.92
2.93 TO 3.02
3.03 TO 3.12
3.13 TO 3.23
3.24 TO 3.33
3.34 TO 3.43
3.44 TO 3.53
3.54 TO 3.64
3.65 TO 3.74
3.75 TO 3.84
3.85 TO 3.94
3.95 TO 4.05
4.06 TO 4.15
4.16 TO 4.25
4.26 TO 4.35
4.36 TO 4.46
4.47 TO 4.56
4.57 TO 4.66
4.67 TO 4.76
4.77 TO 4.87
4.88 TO 4.97
4.98 TO 5.07
5.08 TO 5.17

0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

5.18 TO 5.28
5.29 TO 5.38
5.39 TO 5.48
5.49 TO 5.58
5.59 TO 5.69
5.70 TO 5.79
5.80 TO 5.89
5.90 TO 5.99
6.00 TO 6.10
6.11 TO 6.20
6.21 TO 6.30
6.31 TO 6.41
6.42 TO 6.51
6.52 TO 6.61
6.62 TO 6.71
6.72 TO 6.82
6.83 TO 6.92
6.93 TO 7.02
7.03 TO 7.12
7.13 TO 7.23
7.24 TO 7.33
7.34 TO 7.43
7.44 TO 7.53
7.54 TO 7.64
7.65 TO 7.74
7.75 TO 7.84
7.85 TO 7.94
7.95 TO 8.05
8.06 TO 8.15
8.16 TO 8.25
8.26 TO 8.35
8.36 TO 8.46
8.47 TO 8.56
8.57 TO 8.66
8.67 TO 8.76
8.77 TO 8.87
8.88 TO 8.97
8.98 TO 9.07
9.08 TO 9.17
9.18 TO 9.28
9.29 TO 9.38
9.39 TO 9.48
9.49 TO 9.58
9.59 TO 9.69
9.70 TO 9.79
9.80 TO 9.89
9.90 TO 9.99
10.00 TO 10.10

0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68
0.69
0.70
0.71
0.72
0.73
0.74
0.75
0.76
0.77
0.78
0.79
0.80
0.81
0.82
0.83
0.84
0.85
0.86
0.87
0.88
0.89
0.90
0.91
0.92
0.93
0.94
0.95
0.96
0.97
0.98

ILLINOIS REGISTER

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

10% Tax Rate

IF TRANSACTION IS:

0.00 TO 0.04
0.05 TO 0.14
0.15 TO 0.24
0.25 TO 0.34
0.35 TO 0.44
0.45 TO 0.54
0.55 TO 0.64
0.65 TO 0.74
0.75 TO 0.84
0.85 TO 0.94
0.95 TO 1.04
1.05 TO 1.14
1.15 TO 1.24
1.25 TO 1.34
1.35 TO 1.44
1.45 TO 1.54
1.55 TO 1.64
1.65 TO 1.74
1.75 TO 1.84
1.85 TO 1.94
1.95 TO 2.04
2.05 TO 2.14
2.15 TO 2.24
2.25 TO 2.34
2.35 TO 2.44
2.45 TO 2.54
2.55 TO 2.64
2.65 TO 2.74
2.75 TO 2.84
2.85 TO 2.94
2.95 TO 3.04
3.05 TO 3.14
3.15 TO 3.24
3.25 TO 3.34
3.35 TO 3.44
3.45 TO 3.54
3.55 TO 3.64
3.65 TO 3.74
3.75 TO 3.84
3.85 TO 3.94
3.95 TO 4.04
4.05 TO 4.14
4.15 TO 4.24
4.25 TO 4.34
4.35 TO 4.44
4.45 TO 4.54

TAX IS:

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45

ILLINOIS REGISTER

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

4.55 TO 4.64
4.65 TO 4.74
4.75 TO 4.84
4.85 TO 4.94
4.95 TO 5.04
5.05 TO 5.14
5.15 TO 5.24
5.25 TO 5.34
5.35 TO 5.44
5.45 TO 5.54
5.55 TO 5.64
5.65 TO 5.74
5.75 TO 5.84
5.85 TO 5.94
5.95 TO 6.04
6.05 TO 6.14
6.15 TO 6.24
6.25 TO 6.34
6.35 TO 6.44
6.45 TO 6.54
6.55 TO 6.64
6.65 TO 6.74
6.75 TO 6.84
6.85 TO 6.94
6.95 TO 7.04
7.05 TO 7.14
7.15 TO 7.24
7.25 TO 7.34
7.35 TO 7.44
7.45 TO 7.54
7.55 TO 7.64
7.65 TO 7.74
7.75 TO 7.84
7.85 TO 7.94
7.95 TO 8.04
8.05 TO 8.14
8.15 TO 8.24
8.25 TO 8.34
8.35 TO 8.44
8.45 TO 8.54
8.55 TO 8.64
8.65 TO 8.74
8.75 TO 8.84
8.85 TO 8.94
8.95 TO 9.04
9.05 TO 9.14
9.15 TO 9.24
9.25 TO 9.34
9.35 TO 9.44

0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

9.45	TO	9.54
9.55	TO	9.64
9.65	TO	9.74
9.75	TO	9.84
9.85	TO	9.94
9.95	TO	10.00

10 1/4% Tax Rate

IF TRANSACTION IS:

0.00	TO	0.04
0.05	TO	0.14
0.15	TO	0.24
0.25	TO	0.34
0.35	TO	0.43
0.44	TO	0.53
0.54	TO	0.63
0.64	TO	0.73
0.74	TO	0.82
0.83	TO	0.92
0.93	TO	1.02
1.03	TO	1.12
1.13	TO	1.21
1.22	TO	1.31
1.32	TO	1.41
1.42	TO	1.51
1.52	TO	1.60
1.61	TO	1.70
1.71	TO	1.80
1.81	TO	1.90
1.91	TO	1.99
2.00	TO	2.09
2.10	TO	2.19
2.20	TO	2.29
2.30	TO	2.39
2.40	TO	2.48
2.49	TO	2.58
2.59	TO	2.68
2.69	TO	2.78
2.79	TO	2.87
2.88	TO	2.97
2.98	TO	3.07
3.08	TO	3.17
3.18	TO	3.26
3.27	TO	3.36
3.37	TO	3.46
3.47	TO	3.56
3.57	TO	3.65

TAX IS:

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

3.66	TO	3.75
3.76	TO	3.85
3.86	TO	3.95
3.96	TO	4.04
4.05	TO	4.14
4.15	TO	4.24
4.25	TO	4.34
4.35	TO	4.43
4.44	TO	4.53
4.54	TO	4.63
4.64	TO	4.73
4.74	TO	4.82
4.83	TO	4.92
4.93	TO	5.02
5.03	TO	5.12
5.13	TO	5.21
5.22	TO	5.31
5.32	TO	5.41
5.42	TO	5.51
5.52	TO	5.60
5.61	TO	5.70
5.71	TO	5.80
5.81	TO	5.90
5.91	TO	5.99
6.00	TO	6.09
6.10	TO	6.19
6.20	TO	6.29
6.30	TO	6.39
6.40	TO	6.48
6.49	TO	6.58
6.59	TO	6.68
6.69	TO	6.78
6.79	TO	6.87
6.88	TO	6.97
6.98	TO	7.07
7.08	TO	7.17
7.18	TO	7.26
7.27	TO	7.36
7.37	TO	7.46
7.47	TO	7.56
7.57	TO	7.65
7.66	TO	7.75
7.76	TO	7.85
7.86	TO	7.95
7.96	TO	8.04
8.05	TO	8.14
8.15	TO	8.24
8.25	TO	8.34
8.35	TO	8.43

0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68
0.69
0.70
0.71
0.72
0.73
0.74
0.75
0.76
0.77
0.78
0.79
0.80
0.81
0.82
0.83
0.84
0.85
0.86

NOTICE OF ADOPTED AMENDMENT(S)

8.44	TO	8.53
8.54	TO	8.63
8.64	TO	8.73
8.74	TO	8.82
8.83	TO	8.92
8.93	TO	9.02
9.03	TO	9.12
9.13	TO	9.21
9.22	TO	9.31
9.32	TO	9.41
9.42	TO	9.51
9.52	TO	9.60
9.61	TO	9.70
9.71	TO	9.80
9.81	TO	9.90
9.91	TO	9.99
10.00	TO	10.09

0.87
0.88
0.89
0.90
0.91
0.92
0.93
0.94
0.95
0.96
0.97
0.98
0.99
1.00
1.01
1.02
1.03

10 1/2% Tax Rate

IF TRANSACTION IS:

0.00	TO	0.04
0.05	TO	0.14
0.15	TO	0.23
0.24	TO	0.33
0.34	TO	0.42
0.43	TO	0.52
0.53	TO	0.61
0.62	TO	0.71
0.72	TO	0.80
0.81	TO	0.90
0.91	TO	0.99
1.00	TO	1.09
1.10	TO	1.19
1.20	TO	1.28
1.29	TO	1.38
1.39	TO	1.47
1.48	TO	1.57
1.58	TO	1.66
1.67	TO	1.76
1.77	TO	1.85
1.86	TO	1.95
1.96	TO	2.04
2.05	TO	2.14
2.15	TO	2.23
2.24	TO	2.33
2.34	TO	2.42
2.43	TO	2.52

TAX IS:

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26

NOTICE OF ADOPTED AMENDMENT(S)

2.53	TO	2.61
2.62	TO	2.71
2.72	TO	2.80
2.81	TO	2.90
2.91	TO	2.99
3.00	TO	3.09
3.10	TO	3.19
3.20	TO	3.28
3.29	TO	3.38
3.39	TO	3.47
3.48	TO	3.57
3.58	TO	3.66
3.67	TO	3.76
3.77	TO	3.85
3.86	TO	3.95
3.96	TO	4.04
4.05	TO	4.14
4.15	TO	4.23
4.24	TO	4.33
4.34	TO	4.42
4.43	TO	4.52
4.53	TO	4.61
4.62	TO	4.71
4.72	TO	4.80
4.81	TO	4.90
4.91	TO	4.99
5.00	TO	5.09
5.10	TO	5.19
5.20	TO	5.28
5.29	TO	5.38
5.39	TO	5.47
5.48	TO	5.57
5.58	TO	5.66
5.67	TO	5.76
5.77	TO	5.85
5.86	TO	5.95
5.96	TO	6.04
6.05	TO	6.14
6.15	TO	6.23
6.24	TO	6.33
6.34	TO	6.42
6.43	TO	6.52
6.53	TO	6.61
6.62	TO	6.71
6.72	TO	6.80
6.81	TO	6.90
6.91	TO	6.99
7.00	TO	7.09
7.10	TO	7.19

0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68
0.69
0.70
0.71
0.72
0.73
0.74
0.75

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

7.20 TO 7.28
7.29 TO 7.38
7.39 TO 7.47
7.48 TO 7.57
7.58 TO 7.66
7.67 TO 7.76
7.77 TO 7.85
7.86 TO 7.95
7.96 TO 8.04
8.05 TO 8.14
8.15 TO 8.23
8.24 TO 8.33
8.34 TO 8.42
8.43 TO 8.52
8.53 TO 8.61
8.62 TO 8.71
8.72 TO 8.80
8.81 TO 8.90
8.91 TO 8.99
9.00 TO 9.09
9.10 TO 9.19
9.20 TO 9.28
9.29 TO 9.38
9.39 TO 9.47
9.48 TO 9.57
9.58 TO 9.66
9.67 TO 9.76
9.77 TO 9.85
9.86 TO 9.95
9.96 TO 10.00

0.76
0.77
0.78
0.79
0.80
0.81
0.82
0.83
0.84
0.85
0.86
0.87
0.88
0.89
0.90
0.91
0.92
0.93
0.94
0.95
0.96
0.97
0.98
0.99
1.00
1.01
1.02
1.03
1.04
1.05

10 3/4% Tax Rate

IF TRANSACTION IS:

0.00 TO 0.04
0.05 TO 0.13
0.14 TO 0.23
0.24 TO 0.32
0.33 TO 0.41
0.42 TO 0.51
0.52 TO 0.60
0.61 TO 0.69
0.70 TO 0.79
0.80 TO 0.88
0.89 TO 0.97
0.98 TO 1.06
1.07 TO 1.16
1.17 TO 1.25

TAX IS:

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

1.26 TO 1.34
1.35 TO 1.44
1.45 TO 1.53
1.54 TO 1.62
1.63 TO 1.72
1.73 TO 1.81
1.82 TO 1.90
1.91 TO 1.99
2.00 TO 2.09
2.10 TO 2.18
2.19 TO 2.27
2.28 TO 2.37
2.38 TO 2.46
2.47 TO 2.55
2.56 TO 2.65
2.66 TO 2.74
2.75 TO 2.83
2.84 TO 2.93
2.94 TO 3.02
3.03 TO 3.11
3.12 TO 3.20
3.21 TO 3.30
3.31 TO 3.39
3.40 TO 3.48
3.49 TO 3.58
3.59 TO 3.67
3.68 TO 3.76
3.77 TO 3.86
3.87 TO 3.95
3.96 TO 4.04
4.05 TO 4.13
4.14 TO 4.23
4.24 TO 4.32
4.33 TO 4.41
4.42 TO 4.51
4.52 TO 4.60
4.61 TO 4.69
4.70 TO 4.79
4.80 TO 4.88
4.89 TO 4.97
4.98 TO 5.06
5.07 TO 5.16
5.17 TO 5.25
5.26 TO 5.34
5.35 TO 5.44
5.45 TO 5.53
5.54 TO 5.62
5.63 TO 5.72
5.73 TO 5.81

0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

5.82	TO	5.90
5.91	TO	5.99
6.00	TO	6.09
6.10	TO	6.18
6.19	TO	6.27
6.28	TO	6.37
6.38	TO	6.46
6.47	TO	6.55
6.56	TO	6.65
6.66	TO	6.74
6.75	TO	6.83
6.84	TO	6.93
6.94	TO	7.02
7.03	TO	7.11
7.12	TO	7.20
7.21	TO	7.30
7.31	TO	7.39
7.40	TO	7.48
7.49	TO	7.58
7.59	TO	7.67
7.68	TO	7.76
7.77	TO	7.86
7.87	TO	7.95
7.96	TO	8.04
8.05	TO	8.13
8.14	TO	8.23
8.24	TO	8.32
8.33	TO	8.41
8.42	TO	8.51
8.52	TO	8.60
8.61	TO	8.69
8.70	TO	8.79
8.80	TO	8.88
8.89	TO	8.97
8.98	TO	9.06
9.07	TO	9.16
9.17	TO	9.25
9.26	TO	9.34
9.35	TO	9.44
9.45	TO	9.53
9.54	TO	9.62
9.63	TO	9.72
9.73	TO	9.81
9.82	TO	9.90
9.91	TO	9.99
10.00	TO	10.09

11 Tax Rate

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

IF TRANSACTION IS:		TAX IS:
0.00	TO	0.04
0.00	TO	0.00
0.05	TO	0.13
0.14	TO	0.22
0.23	TO	0.31
0.32	TO	0.40
0.41	TO	0.49
0.50	TO	0.59
0.60	TO	0.68
0.69	TO	0.77
0.78	TO	0.86
0.87	TO	0.95
0.96	TO	1.04
1.05	TO	1.13
1.14	TO	1.22
1.23	TO	1.31
1.32	TO	1.40
1.41	TO	1.49
1.50	TO	1.59
1.60	TO	1.68
1.69	TO	1.77
1.78	TO	1.86
1.87	TO	1.95
1.96	TO	2.04
2.05	TO	2.13
2.14	TO	2.22
2.23	TO	2.31
2.32	TO	2.40
2.41	TO	2.49
2.50	TO	2.59
2.60	TO	2.68
2.69	TO	2.77
2.78	TO	2.86
2.87	TO	2.95
2.96	TO	3.04
3.05	TO	3.13
3.14	TO	3.22
3.23	TO	3.31
3.32	TO	3.40
3.41	TO	3.49
3.50	TO	3.59
3.60	TO	3.68
3.69	TO	3.77
3.78	TO	3.86
3.87	TO	3.95
3.96	TO	4.04
4.05	TO	4.13
4.14	TO	4.22
4.23	TO	4.31

IF TRANSACTION IS:

TAX IS:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

4.32	TO	4.40
4.41	TO	4.49
4.50	TO	4.59
4.60	TO	4.68
4.69	TO	4.77
4.78	TO	4.86
4.87	TO	4.95
4.96	TO	5.04
5.05	TO	5.13
5.14	TO	5.22
5.23	TO	5.31
5.32	TO	5.40
5.41	TO	5.49
5.50	TO	5.59
5.60	TO	5.68
5.69	TO	5.77
5.78	TO	5.86
5.87	TO	5.95
5.96	TO	6.04
6.05	TO	6.13
6.14	TO	6.22
6.23	TO	6.31
6.32	TO	6.40
6.41	TO	6.49
6.50	TO	6.59
6.60	TO	6.68
6.69	TO	6.77
6.78	TO	6.86
6.87	TO	6.95
6.96	TO	7.04
7.05	TO	7.13
7.14	TO	7.22
7.23	TO	7.31
7.32	TO	7.40
7.41	TO	7.49
7.50	TO	7.59
7.60	TO	7.68
7.69	TO	7.77
7.78	TO	7.86
7.87	TO	7.95
7.96	TO	8.04
8.05	TO	8.13
8.14	TO	8.22
8.23	TO	8.31
8.32	TO	8.40
8.41	TO	8.49
8.50	TO	8.59
8.60	TO	8.68
8.69	TO	8.77

0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68
0.69
0.70
0.71
0.72
0.73
0.74
0.75
0.76
0.77
0.78
0.79
0.80
0.81
0.82
0.83
0.84
0.85
0.86
0.87
0.88
0.89
0.90
0.91
0.92
0.93
0.94
0.95
0.96

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT (S)

8.78	TO	8.86
8.87	TO	8.95
8.96	TO	9.04
9.05	TO	9.13
9.14	TO	9.22
9.23	TO	9.31
9.32	TO	9.40
9.41	TO	9.49
9.50	TO	9.59
9.60	TO	9.68
9.69	TO	9.77
9.78	TO	9.86
9.87	TO	9.95
9.96	TO	10.00

0.97
0.98
0.99
1.00
1.01
1.02
1.03
1.04
1.05
1.06
1.07
1.08
1.09
1.10

11 1/4% Tax Rate

IF TRANSACTION IS:

0.00	TO	0.04
0.05	TO	0.13
0.14	TO	0.22
0.23	TO	0.31
0.32	TO	0.39
0.40	TO	0.48
0.49	TO	0.57
0.58	TO	0.66
0.67	TO	0.75
0.76	TO	0.84
0.85	TO	0.93
0.94	TO	1.02
1.03	TO	1.11
1.12	TO	1.19
1.20	TO	1.28
1.29	TO	1.37
1.38	TO	1.46
1.47	TO	1.55
1.56	TO	1.64
1.65	TO	1.73
1.74	TO	1.82
1.83	TO	1.91
1.92	TO	1.99
2.00	TO	2.08
2.09	TO	2.17
2.18	TO	2.26
2.27	TO	2.35
2.36	TO	2.44
2.45	TO	2.53
2.54	TO	2.62

TAX IS:

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08
0.09
0.10
0.11
0.12
0.13
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0.19
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0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

2.63	TO	2.71
2.72	TO	2.79
2.80	TO	2.88
2.89	TO	2.97
2.98	TO	3.06
3.07	TO	3.15
3.16	TO	3.24
3.25	TO	3.33
3.34	TO	3.42
3.43	TO	3.51
3.52	TO	3.59
3.60	TO	3.68
3.69	TO	3.77
3.78	TO	3.86
3.87	TO	3.95
3.96	TO	4.04
4.05	TO	4.13
4.14	TO	4.22
4.23	TO	4.31
4.32	TO	4.39
4.40	TO	4.48
4.49	TO	4.57
4.58	TO	4.66
4.67	TO	4.75
4.76	TO	4.84
4.85	TO	4.93
4.94	TO	5.02
5.03	TO	5.11
5.12	TO	5.19
5.20	TO	5.28
5.29	TO	5.37
5.38	TO	5.46
5.47	TO	5.55
5.56	TO	5.64
5.65	TO	5.73
5.74	TO	5.82
5.83	TO	5.91
5.92	TO	5.99
6.00	TO	6.08
6.09	TO	6.17
6.18	TO	6.26
6.27	TO	6.35
6.36	TO	6.44
6.45	TO	6.53
6.54	TO	6.62
6.63	TO	6.71
6.72	TO	6.79
6.80	TO	6.88
6.89	TO	6.97

6.98	TO	7.06
7.07	TO	7.15
7.16	TO	7.24
7.25	TO	7.33
7.34	TO	7.42
7.43	TO	7.51
7.52	TO	7.59
7.60	TO	7.68
7.69	TO	7.77
7.78	TO	7.86
7.87	TO	7.95
7.96	TO	8.04
8.05	TO	8.13
8.14	TO	8.22
8.23	TO	8.31
8.32	TO	8.39
8.40	TO	8.48
8.49	TO	8.57
8.58	TO	8.66
8.67	TO	8.75
8.76	TO	8.84
8.85	TO	8.93
8.94	TO	9.02
9.03	TO	9.11
9.12	TO	9.19
9.20	TO	9.28
9.29	TO	9.37
9.38	TO	9.46
9.47	TO	9.55
9.56	TO	9.64
9.65	TO	9.73
9.74	TO	9.82
9.83	TO	9.91
9.90	TO	9.99
10.00	TO	10.08

11 1/2% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00	TO	0.04
0.05	TO	0.13
0.14	TO	0.21
0.22	TO	0.30
0.31	TO	0.39
0.40	TO	0.47
0.48	TO	0.56
0.57	TO	0.65
0.66	TO	0.73

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

0.74	TO	0.82
0.83	TO	0.91
0.92	TO	0.99
1.00	TO	1.08
1.09	TO	1.17
1.18	TO	1.26
1.27	TO	1.34
1.35	TO	1.43
1.44	TO	1.52
1.53	TO	1.60
1.61	TO	1.69
1.70	TO	1.78
1.79	TO	1.86
1.87	TO	1.95
1.96	TO	2.04
2.05	TO	2.13
2.14	TO	2.21
2.22	TO	2.30
2.31	TO	2.39
2.40	TO	2.47
2.48	TO	2.56
2.57	TO	2.65
2.66	TO	2.73
2.74	TO	2.82
2.83	TO	2.91
2.92	TO	2.99
3.00	TO	3.08
3.09	TO	3.17
3.18	TO	3.26
3.27	TO	3.34
3.35	TO	3.43
3.44	TO	3.52
3.53	TO	3.60
3.61	TO	3.69
3.70	TO	3.78
3.79	TO	3.86
3.87	TO	3.95
3.96	TO	4.04
4.05	TO	4.13
4.14	TO	4.21
4.22	TO	4.30
4.31	TO	4.39
4.40	TO	4.47
4.48	TO	4.56
4.57	TO	4.65
4.66	TO	4.73
4.74	TO	4.82
4.83	TO	4.91
4.92	TO	4.99

0.09
0.10
0.11
0.12
0.13
0.14
0.15
0.16
0.17
0.18
0.19
0.20
0.21
0.22
0.23
0.24
0.25
0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
0.34
0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

5.00	TO	5.08
5.09	TO	5.17
5.18	TO	5.26
5.27	TO	5.34
5.35	TO	5.43
5.44	TO	5.52
5.53	TO	5.60
5.61	TO	5.69
5.70	TO	5.78
5.79	TO	5.86
5.87	TO	5.95
5.96	TO	6.04
6.05	TO	6.13
6.14	TO	6.21
6.22	TO	6.30
6.31	TO	6.39
6.40	TO	6.47
6.48	TO	6.56
6.57	TO	6.65
6.66	TO	6.73
6.74	TO	6.82
6.83	TO	6.91
6.92	TO	6.99
7.00	TO	7.08
7.09	TO	7.17
7.18	TO	7.26
7.27	TO	7.34
7.35	TO	7.43
7.44	TO	7.52
7.53	TO	7.60
7.61	TO	7.69
7.70	TO	7.78
7.79	TO	7.86
7.87	TO	7.95
7.96	TO	8.04
8.05	TO	8.13
8.14	TO	8.21
8.22	TO	8.30
8.31	TO	8.39
8.40	TO	8.47
8.48	TO	8.56
8.57	TO	8.65
8.66	TO	8.73
8.74	TO	8.82
8.83	TO	8.91
8.92	TO	8.99
9.00	TO	9.08
9.09	TO	9.17
9.18	TO	9.26

0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68
0.69
0.70
0.71
0.72
0.73
0.74
0.75
0.76
0.77
0.78
0.79
0.80
0.81
0.82
0.83
0.84
0.85
0.86
0.87
0.88
0.89
0.90
0.91
0.92
0.93
0.94
0.95
0.96
0.97
0.98
0.99
1.00
1.01
1.02
1.03
1.04
1.05
1.06

9.27	TO	9.34
9.35	TO	9.43
9.44	TO	9.52
9.53	TO	9.60
9.61	TO	9.69
9.70	TO	9.78
9.79	TO	9.86
9.87	TO	9.95
9.96	TO	10.00

1.07
1.08
1.09
1.10
1.11
1.12
1.13
1.14
1.15

11/3/4% Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00	TO	0.04
0.05	TO	0.12
0.13	TO	0.21
0.22	TO	0.29
0.30	TO	0.38
0.39	TO	0.46
0.47	TO	0.55
0.56	TO	0.63
0.64	TO	0.72
0.73	TO	0.80
0.81	TO	0.89
0.90	TO	0.97
0.98	TO	1.06
1.07	TO	1.14
1.15	TO	1.23
1.24	TO	1.31
1.32	TO	1.40
1.41	TO	1.48
1.49	TO	1.57
1.58	TO	1.65
1.66	TO	1.74
1.75	TO	1.82
1.83	TO	1.91
1.92	TO	1.99
2.00	TO	2.08
2.09	TO	2.17
2.18	TO	2.25
2.26	TO	2.34
2.35	TO	2.42
2.43	TO	2.51
2.52	TO	2.59
2.60	TO	2.68
2.69	TO	2.76
2.77	TO	2.85
2.86	TO	2.93

2.94	TO	3.02
3.03	TO	3.10
3.11	TO	3.19
3.20	TO	3.27
3.28	TO	3.36
3.37	TO	3.44
3.45	TO	3.53
3.54	TO	3.61
3.62	TO	3.70
3.71	TO	3.78
3.79	TO	3.87
3.88	TO	3.95
3.96	TO	4.04
4.05	TO	4.12
4.13	TO	4.21
4.22	TO	4.29
4.30	TO	4.38
4.39	TO	4.46
4.47	TO	4.55
4.56	TO	4.63
4.64	TO	4.72
4.73	TO	4.80
4.81	TO	4.89
4.90	TO	4.97
4.98	TO	5.06
5.07	TO	5.14
5.15	TO	5.23
5.24	TO	5.31
5.32	TO	5.40
5.41	TO	5.48
5.49	TO	5.57
5.58	TO	5.65
5.66	TO	5.74
5.75	TO	5.82
5.83	TO	5.91
5.92	TO	5.99
6.00	TO	6.08
6.09	TO	6.17
6.18	TO	6.25
6.26	TO	6.34
6.35	TO	6.42
6.43	TO	6.51
6.52	TO	6.59
6.60	TO	6.68
6.69	TO	6.76
6.77	TO	6.85
6.86	TO	6.93
6.94	TO	7.02
7.03	TO	7.10

0.35
0.36
0.37
0.38
0.39
0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57
0.58
0.59
0.60
0.61
0.62
0.63
0.64
0.65
0.66
0.67
0.68
0.69
0.70
0.71
0.72
0.73
0.74
0.75
0.76
0.77
0.78
0.79
0.80
0.81
0.82
0.83

DEPARTMENT OF REVENUE

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

7.11	TO	7.19
7.20	TO	7.27
7.28	TO	7.36
7.37	TO	7.44
7.45	TO	7.53
7.54	TO	7.61
7.62	TO	7.70
7.71	TO	7.78
7.79	TO	7.87
7.88	TO	7.95
7.96	TO	8.04
8.05	TO	8.12
8.13	TO	8.21
8.22	TO	8.29
8.30	TO	8.38
8.39	TO	8.46
8.47	TO	8.55
8.56	TO	8.63
8.64	TO	8.72
8.73	TO	8.80
8.81	TO	8.89
8.90	TO	8.97
8.98	TO	9.06
9.07	TO	9.14
9.15	TO	9.23
9.24	TO	9.31
9.32	TO	9.40
9.41	TO	9.48
9.49	TO	9.57
9.58	TO	9.65
9.66	TO	9.74
9.75	TO	9.82
9.83	TO	9.91
9.92	TO	9.99
10.00	TO	10.08

0.84
0.85
0.86
0.87
0.88
0.89
0.90
0.91
0.92
0.93
0.94
0.95
0.96
0.97
0.98
0.99
1.00
1.01
1.02
1.03
1.04
1.05
1.06
1.07
1.08
1.09
1.10
1.11
1.12
1.13
1.14
1.15
1.16
1.17
1.18

12⁸ Tax Rate

IF TRANSACTION IS:

TAX IS:

0.00	TO	0.04
0.05	TO	0.12
0.13	TO	0.20
0.21	TO	0.29
0.30	TO	0.37
0.38	TO	0.45
0.46	TO	0.54
0.55	TO	0.62
0.63	TO	0.70

0.00
0.01
0.02
0.03
0.04
0.05
0.06
0.07
0.08

0.71	TO	0.79
0.80	TO	0.87
0.88	TO	0.95
0.96	TO	1.04
1.05	TO	1.12
1.13	TO	1.20
1.21	TO	1.29
1.30	TO	1.37
1.38	TO	1.45
1.46	TO	1.54
1.55	TO	1.62
1.63	TO	1.70
1.71	TO	1.79
1.80	TO	1.87
1.88	TO	1.95
1.96	TO	2.04
2.05	TO	2.12
2.13	TO	2.20
2.21	TO	2.29
2.30	TO	2.37
2.38	TO	2.45
2.46	TO	2.54
2.55	TO	2.62
2.63	TO	2.70
2.71	TO	2.79
2.80	TO	2.87
2.88	TO	2.95
2.96	TO	3.04
3.05	TO	3.12
3.13	TO	3.20
3.21	TO	3.29
3.30	TO	3.37
3.38	TO	3.45
3.46	TO	3.54
3.55	TO	3.62
3.63	TO	3.70
3.71	TO	3.79
3.80	TO	3.87
3.88	TO	3.95
3.96	TO	4.04
4.05	TO	4.12
4.13	TO	4.20
4.21	TO	4.29
4.30	TO	4.37
4.38	TO	4.45
4.46	TO	4.54
4.55	TO	4.62
4.63	TO	4.70
4.71	TO	4.79

0.09
0.10
0.11
0.12
0.13
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0.20
0.21
0.22
0.23
0.24
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0.26
0.27
0.28
0.29
0.30
0.31
0.32
0.33
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0.35
0.36
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0.40
0.41
0.42
0.43
0.44
0.45
0.46
0.47
0.48
0.49
0.50
0.51
0.52
0.53
0.54
0.55
0.56
0.57

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

4.80 TO 4.87	0.58
4.88 TO 4.95	0.59
4.96 TO 5.04	0.60
5.05 TO 5.12	0.61
5.13 TO 5.20	0.62
5.21 TO 5.29	0.63
5.30 TO 5.37	0.64
5.38 TO 5.45	0.65
5.46 TO 5.54	0.66
5.55 TO 5.62	0.67
5.63 TO 5.70	0.68
5.71 TO 5.79	0.69
5.80 TO 5.87	0.70
5.88 TO 5.95	0.71
5.96 TO 6.04	0.72
6.05 TO 6.12	0.73
6.13 TO 6.20	0.74
6.21 TO 6.29	0.75
6.30 TO 6.37	0.76
6.38 TO 6.45	0.77
6.46 TO 6.54	0.78
6.55 TO 6.62	0.79
6.63 TO 6.70	0.80
6.71 TO 6.79	0.81
6.80 TO 6.87	0.82
6.88 TO 6.95	0.83
6.96 TO 7.04	0.84
7.05 TO 7.12	0.85
7.13 TO 7.20	0.86
7.21 TO 7.29	0.87
7.30 TO 7.37	0.88
7.38 TO 7.45	0.89
7.46 TO 7.54	0.90
7.55 TO 7.62	0.91
7.63 TO 7.70	0.92
7.71 TO 7.79	0.93
7.80 TO 7.87	0.94
7.88 TO 7.95	0.95
7.96 TO 8.04	0.96
8.05 TO 8.12	0.97
8.13 TO 8.20	0.98
8.21 TO 8.29	0.99
8.30 TO 8.37	1.00
8.38 TO 8.45	1.01
8.46 TO 8.54	1.02
8.55 TO 8.62	1.03
8.63 TO 8.70	1.04
8.71 TO 8.79	1.05
8.80 TO 8.87	1.06

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT(S)

8.88 TO 8.95	1.07
8.96 TO 9.04	1.08
9.05 TO 9.12	1.09
9.13 TO 9.20	1.10
9.21 TO 9.29	1.11
9.30 TO 9.37	1.12
9.38 TO 9.45	1.13
9.46 TO 9.54	1.14
9.55 TO 9.62	1.15
9.63 TO 9.70	1.16
9.71 TO 9.79	1.17
9.80 TO 9.87	1.18
9.88 TO 9.95	1.19
9.96 TO 10.00	1.20

(Source: Amended at 17 Ill. Reg. 1947, effective
February 2, 1993)

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Numbers
 Adopted Action
 1030.115
 Amendment
- 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (625 ILCS 5/2-104(b) formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 2-104(b)) and Section 6-104(a) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-100 et seq. formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-100 et seq.).
- 5) Effective Date of Amendments: February 1, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 1, 1993
- 9) Notice of Proposal Published in Illinois Register: 16 Ill. Reg. 17229 (November 13, 1992)
- 10) Has JCAR Issued a Statement of Objections to this Rule? No
- 11) Differences between proposal and final version: Citations were amended to include new Illinois Compiled Statute citations.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the Agreement Letter issued by JCAR? None.
- 13) Will this rule replace any Emergency Rule(s) currently in effect? No
- 14) Are there any other amendments pending on this Part?
- | Section Number | Proposed Action | Illinois Register Citation |
|----------------------------------|--------------------------------|--|
| 1030.16
Emergency
1030.17 | New Section

New Section | 17 Ill. Reg. 956
(January 27, 1993) |
| 1030.18
Emergency
1030.120 | New Section

Amendment | (
17 Ill. Reg. 956
(January 27, 1993)
16 Ill. Reg. 12138
(July 31, 1992) |
| 1030.130 | Amendment | 16 Ill. Reg. 12138
(July 31, 1992) |

- 15) Summary and Purpose of Rule: This rulemaking amends the procedure for the changing of a person's address to include a commercial driver's license, and also to allow the Department of Driver Services to change the address of a person upon notification by the U.S. Postal Service.

- 16) Information and answers to questions regarding this Adopted Rule should be directed to:

Robert J. Watkins
 Assistant Counsel to the Secretary
 2701 S. Dirksen Parkway
 Springfield, IL 62723
 Tel: 217/782-5356

The full text of the Adopted Rule begins on the next page.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1030

ISSUANCE OF LICENSES

- Section 1030.10 What Persons Shall Not be Licensed or Granted Permits
- 1030.11 Procedure for Obtaining a Driver's License
- 1030.12 Driver's License Medical Advisory Board
- 1030.15 Cite for Re-examination
- 1030.16 Physical and Mental Evaluation
- 1030.18 Medical Criteria Affecting Driver Performance
- 1030.20 Classification of Drivers-References
- 1030.30 Classification Standards
- 1030.40 Fifth Wheel Equipped Trucks
- 1030.50 Bus Driver's Authority, Religious Organization and Senior Citizen Transportation Vehicle
- 1030.55 Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
- 1030.60 Third-Party Certification Program
- 1030.63 Religious Exemption for Social Security Numbers
- 1030.65 Instruction Permits
- 1030.70 Driver's License Testing/Vision Screening
- 1030.75 Driver's License Testing/Vision Screening with Vision Aid Arrangements Other than Standard Eye Glasses or Contact Lens(es)
- 1030.80 Driver's License Testing/Written Test
- 1030.81 Endorsements
- 1030.84 Vehicle Inspection
- 1030.85 Driver's License Testing/Road Test
- 1030.86 Multiple Attempts/Road Test
- 1030.88 Exemption of Facility Administered Road Test
- 1030.89 Temporary Licenses
- 1030.90 Requirement for Photograph and Signature of Licensee on Driver's License
- 1030.91 Disabled Person/Handicapped Identification Card
- 1030.92 Restrictions
- 1030.93 Restricted Local Licenses
- 1030.94 Duplicate or Corrected Driver's License or Permit
- 1030.95 Consular Licenses
- 1030.100 Anatomical Gift Donor
- 1030.110 Emergency Medical Information Card
- 1030.115 Change-of-Address
- 1030.120 Issuance of a Probationary License
- 1030.130 Grounds for Cancellation of a Probationary License
1030. Appendix A Questions Asked of a Driver's License Applicant
1030. Appendix B Acceptable Identification Documents

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-100 et seq. formerly Ill. Rev. Stat. 1991, ch. 95 1/2, pars. 6-100 et seq.) and authorized by Section 2-104 (b) of the

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Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (625 ILCS 5/2-104(b) formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 2-104).

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 12, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 26, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993 for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993

Section 1030.115 Change-of-Address

- a) For purposes of this Section, the following definitions shall apply:

"Commercial Driver's License (CDL)" - a driver's license issued by a state to a person, that authorizes that person to drive a certain class of commercial motor vehicle or vehicles (625 ILCS 5/6-500(e) formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-500(e)).

"Court Documents" - items issued by a court such as reports, notices, summonses, subpoenas, orders, and transcripts.

"Department" - Driver Services Department within the Office of the Secretary of State.

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"Driver's License File" - file maintained by the Secretary of State on each driver in Illinois as provided in Section 6-117 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-117 formerly Ill. Rev. Stat. 1989, ch. 95 1/2, par. 6-117).

"Immediate Family Member" - parent, child or spouse.

"Judicial Driving Permit" - a judicial driving permit is issued to grant a driver limited driving privileges as provided in Section 6-206.1 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-206.1 formerly Ill. Rev. Stat. 1989, ch. 95 1/2, par. 6-206.1).

"Secretary of State" - Secretary of State of Illinois.

b) Pursuant to Section 6-116 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (625 ILCS 5/6-116 formerly Ill. Rev. Stat. 1989, ch. 95 1/2, par. 6-116) a person who changes his/her address must inform the Secretary of State in writing within ten (10) days after the change. After proper notification of a change of address, the address shall be changed on the driver's license file.

c) To notify the Department of an address change an individual may go to a Driver Services Facility and the address change will be made to the driver's license file at that time.

d) Pursuant to Section 6-511 of the Illinois Driver Licensing Law of the Illinois Vehicle Code, all persons to whom a CDL has been issued must notify the Driver Services Department of the Secretary of State's Office within ten (10) days of any name change or change in domiciliary address. In addition, such person shall make application for a corrected CDL within 30 days of any such change (625 ILCS 5/6-511 formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 6-511).

e) Certain documents will be considered acceptable for notification of an address change if mailed to the Department. Correspondence from the person, his/her attorney, or an immediate family member will be acceptable documentation. The Department shall also change the address on the driver's license file if one of the following is received: post office change-of-address notification; Secretary of State change-of-address card; court documents with "new address" written on them; certificates of insurance with a different address; Illinois Environmental Protection Agency Auto Emission postcards; a judicial driving permit order; or money orders reflecting new address.

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f) Documents which are not acceptable as notification to the Department of an address change shall include the following: conviction reports; failure to appear notices; statutory summary suspension sworn reports (unless there is an out-of-state address indicated on the statutory summary suspension sworn report which corresponds with the out-of-state address reported to the Department when the driver's license was surrendered out-of-state and returned to Illinois); court transcripts (unless "new address" is written on documents); accident reports; or addresses on checks (unless "new address" is specified).

(Source: Amended at 17 Ill. Reg. 2025, effective February 1, 1993)

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- 1) Heading of Part: Data Collection
- 2) Code Citation: 77 Ill. Adm. Code 2510
- 3) Section Numbers: Emergency Action:

2510.60	Amendment
2510.70	Amendment
2510.90	New
- 4) Statutory Authority: Section 2-3 of Article II and Section 4-2 of Article IV of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 6502-3 and 6504-2).
- 5) Effective Date of Amendments: January 29, 1993
- 6) Will this emergency amendment expire before the end of the 150-day period? No.
- 7) Date Filed in Agency's Principal Office: January 29, 1993
- 8) Reason for Emergency: Budgetary reduction of 54% and settlement of lawsuit.
- 9) A Complete Description of the Subjects and Issues Involved: The amendments establish prices to be charged to a requesting entity which will cover at minimum the direct and indirect costs of acquiring information and of developing and producing data product reports or special analyses, and implement settlement of lawsuit involving the Agency.
- 10) Are there any other proposed amendments pending on this part? No.
- 11) Statement of Statewide Policy Objectives: The proposed amendments establish prices for Agency data products and comply with a lawsuit settlement.
- 12) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking: Comments may be submitted in writing to Britt Hagen, Deputy Executive Director, Illinois Health Care Cost Containment Council, 4500 South Sixth Street Road, Suite 215, Springfield, Illinois 62703-5118. Written comments should be submitted no later than March 17, 1993.

The full text of the Emergency Amendments begins on the next page.

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TITLE 77: PUBLIC HEALTH
 CHAPTER XI: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

PART 2510
 DATA COLLECTION

Section	Purpose
2510.10	Outside Contractor
2510.20	Collection and Submission of Hospital Financial Data
2510.30	Submission of Medicare Cost Reports
2510.40	Collection of Information on Uniform Billing Form
2510.50	Report of Inpatient Discharges
2510.55	Quarterly Reports
2510.60	
EMERGENCY	
2510.70	Special Studies and Analysis
EMERGENCY	
2510.80	Confidentiality
2510.90	Hospital Review
EMERGENCY	
APPENDIX A	ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL ANNUAL FINANCIAL DATA REPORT
APPENDIX B	MAGNETIC MEDIA RECORD FORMAT
APPENDIX C	UB-82 DATA FIELDS
APPENDIX D	HOSPITAL TRANSMITTAL FOR UB-82 DISCHARGE DATA (REPEALED)

AUTHORITY: Implementing Article IV and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991), ch. 111 1/2, pars. 6504-1 to 6504-5 and par. 6504-6 6504-5 and par. 6502-3)

SOURCE: Adopted and codified at 9 Ill. Reg. 12726, effective August 5, 1985; amended at 10 Ill. Reg. 18790, effective October 17, 1986; amended at 11 Ill. Reg. 1574, effective January 2, 1987; amended at 12 Ill. Reg. 6102, effective March 21, 1988; amended at 13 Ill. Reg. 334, effective December 30, 1988; amended at 14 Ill. Reg. 2078, effective January 19, 1990; amended at 16 Ill. Reg. 8980, effective June 3, 1992; emergency amendment at 16 Ill. Reg. 19210, effective November 25, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 2031, effective January 29, 1993, for a maximum of 150 days.

NOTE: Capitalization denotes statutory language.

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Section 2510.60 Quarterly Reports
EMERGENCY

The Council shall require and the designated corporation, association or entity, if applicable, shall prepare quarterly basic reports in the aggregate on health care costs and trends in Illinois. The Council shall provide these reports to the public, if requested. These shall include, but not be limited to, comparative information on average charges, total and ancillary charge components, length of stay on diagnosis specific and procedure specific cases, and number of discharges, compiled in aggregate by hospital, by diagnosis, and by primary payor category. The Council shall permit affected providers the right to review the accuracy of any reports before they are released. Periodically during the time frame provided by Rule and Council policy for the submission and correction of claims data for a given calendar quarter, at intervals of approximately two weeks, the Council shall prepare and distribute, at no charge to Illinois hospitals, reports which profile claims data for open quarters in aggregations which reasonably allow hospital staff to identify errors they or their agents may have made in the coding of claims data submitted to the Council. Such reports shall also show, to the extent reasonable, the results of transformations or groupings made by the Council such that hospitals may exercise judgment regarding the consistency of the Council's application of established transformations to and aggregations of their data. The Council shall also provide, during the ten business days prior to publication of claims information for a given quarter, for hospital staff to access displays or reports showing some or all of the elements of some or all of the records on file and the Council for the quarter to be released. These reports or displays may be viewed either in the Chicago or Springfield offices of the Council.

(Source: Emergency Amendment at 17 Ill. Reg. 2031, effective January 29, 1993, for a maximum of 150 days)

Section 2510.70 Special Studies and Analysis
EMERGENCY

- a) In addition to the quarterly reports, the Council shall respond to requests by agencies of government and organizations in the private sector for special studies and analysis (hereafter referred to as a "compilation of data") collected pursuant to Sections 2510.30 and 2510.50 of this Part. No such requests shall be accepted by the Council prior to October 1, 1985.

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- b) For purposes of this Part, a compilation of data is defined as a magnetic tape or diskette containing selected non-confidential data elements, a hard copy report or both.
- c) The Council shall not release any information for special studies and analysis which is not permitted to be released for other purposes by the Act. No patient identifiable information shall be released except as provided in Section 2510.30 of this Part. Only the UB-82 information which can be released under the requirements of the Act shall be released. Special studies and analysis shall not be subject to The Freedom of Information Act.
- d) All requests for compilations of data shall be made in writing to the Executive Director. The written request shall at least contain the name, address, and telephone number of the requestor; a description of the requested compilation of data; a short, plain statement of the reason for the request; and the relationship of the requested compilation to a legitimate purpose. A "legitimate purpose" is a purpose consistent with the intent, policies, and purposes of the Act.
- e) The Council shall review each request for a compilation of data and determine whether to approve or deny the request. The Council shall notify the public of requests made for compilations by listing the requestor, and providing a short description of the request on its official meeting agenda. Such requests shall be approved only by the vote of a majority of the members of the Council who shall designate the form in which the information shall be made available. The approval or denial by the Council of requests for compilations of data shall be within the discretion of the Council. The Council may deny a request for a compilation of data for reasons including, but not limited to, unavailability of data; the requested compilation of data is already available from the Council or another source; the requested compilation of data would endanger patient confidentiality; or the request is not related to a legitimate purpose. No person or group may request such compilation of data concerning another person or group.
- f) The Council shall notify the requestor in writing of its decision. Denial of a request shall include a brief explanation of the reason for the denial.
- g) The Council or designated corporation, association or entity in consultation with the Council shall also determine a fee to be charged to the requesting agency or private sector organization to cover the direct and indirect costs

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for producing special studies and analysis, and shall permit affected providers the right to review the accuracy of any reports before they are released. Such review period shall not exceed fifteen (15) days.

g)

The Council shall also determine a fee to be charged to the requesting entity which will cover at a minimum the direct and indirect costs of acquiring the information and of developing and producing the data product reports or special analyses. The Council shall establish prices by rule for each category of purchasers for each product and for the various terms under which such purchasers may wish to acquire products.

1) Definition of Terms

A) Public Release Product

Products which the Council has determined may be released by staff without specific Council action on each order are referred to as Public Release Data Products. These products are said to be 'ordered' by the customer.

B) Controlled Release Product

Products which the Council has determined may not be released by staff without specific Council action on each order are to be referred to as Controlled Release Data Products. These products are said to be 'applied for' by the customer.

C)

Data Products are to be made available in unit covering a time period to which the data are applicable. Orders, applications, prices and release conditions shall be specific to the unit of product concerned. Unit of product for Public DataSet, Universal DataSet, and Research Oriented DataSet shall be calendar quarter. Unit of product for the Patient Origin DataSet shall be calendar year.

D)

Purchase

Data Products may be acquired for the single purpose and for the sole use of the ordering or applying entity. The Council filling an order or granting an application to a given entity shall

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be construed as giving permission for use only for the unit of product requested and, in the case of Controlled Release products, only for the purposes originally applied for. In granting such approval, the Council shall not be construed as giving permission for the ordering or applying entity to use the data released on behalf of any client, member, organization or other entity not specified in the original order or application.

E) Licensure

The Council may grant applications from corporations, vendors, or other organizations who wish to be licensed to acquire Council data and to release the information therein or derived therefrom to third parties. In the case of such licensure, the Council will grant explicit right to re-release excluded in the provisions for Purchase, above. Licenses will be granted for specific purposes and classes of potential customers of the customer. Granting of a license for one purpose or one class of licensee shall not be construed as permission to release information to any other class of customer or for any other purpose. Licensees shall bear the burden of reasonable costs for the auditing of their accounts by the State or its agent for the purpose of ascertaining whether or not the terms of the license have been complied with.

2) Council Data Product Categories

A) Public Release Products

For the purposes of this part, the Public DataSet, Patient Origin DataSet, and Custom Reports or DataSets based upon them are to be regarded as Public Release Products.

B) Controlled Release Products

For the purposes of this part, the Universal DataSet, Research Oriented DataSet, and Custom Reports or DataSets based upon them are to be regarded as Controlled Release products.

3) Categories of Purchasers/Licensees and the Terms of Payment

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A) Category I: Private and For-Profit Organizations

Corporations, associations, coalitions, and other entities which are not chartered by the State or Federal governments to fulfill general or specific government functions and which function in whole or in part for the benefit of the owners, members, or sponsors of the corporation or organization shall fall into this category. such purchasers and applicants shall pay the full price set by the Council for the unit of product concerned.

B) Category II: Illinois General Assembly and the Executive Office of the Governor

In consideration of the public information mandate of the Council and the contribution of the General Revenue Fund to the activities of the Council, this category of purchaser shall receive Council reports and data products free of charge.

C) Category III: Illinois Government and Education

Other units of Illinois State, county, and local government, as well as State-run educational institutions shall be deemed to fall into this category. They shall be granted a 50% (fifty percent) discount from the rate made above for Category I customers. Exceptions to this policy may be made where there is a working agreement between the Council and a requesting entity. Where such an agreement is in effect, it shall govern the charge which shall be made to the requesting entity.

D) Category IV: Other Government, Education, and Non-Profit Organizations

The Federal government, governments of state and other political subdivisions outside of the State of Illinois, private educational institutions, and non-profit corporations shall be deemed to fall into this category. They shall be granted a 25% (twenty five percent) discount from the rate made above for Category I customers. Non-profit corporations which purchase or license on behalf either wholly or in part for the substantial

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benefit of for-profit entities shall not be deemed to be included in this category. Rather, such entities will be included in Category I. Exceptions to this policy may be made where there is a working agreement between the Council and a requesting entity. Where such an agreement is in effect, it shall govern the charge which shall be made to the requesting entity.

The Council acting upon the evidence presented shall make the determinations to the category in which any given customer shall be placed.

4) Volume Discounts

The Council shall provide for a 25% discount if a total of 4 quarters are ordered or applied for in the case of products for which the unit of product is a calendar quarter.

5) Category I Prices

Subject to discounts as set forth in Sections 2510.70(g)(3) and 2510.70(g)(4), customers shall pay all or part of the Class I fees set forth in the table below.

<u>Product</u>	<u>Category I Price</u>
<u>Public DataSet</u>	<u>\$1,500/quarter</u>
<u>Universal DataSet</u>	<u>\$2,000/quarter</u>
<u>Research Oriented DataSet</u>	<u>\$3,000/quarter</u>
<u>Patient Origin DataSet</u>	<u>\$1,500/calendar year</u>
<u>Hospital Data Requests</u>	<u>\$115/quarter</u>
<u>Custom Reports and DataSets</u>	

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<u>Subset Fee</u>	<u>\$500/subset of 5,000 records</u>
<u>Summary Report</u>	<u>\$100/report</u>
<u>Detail Report</u>	<u>\$250/report</u>
<u>DataSet Fee</u>	<u>\$250/5,000 records</u>

6) Use for Additional Purpose Requires Additional Approval and Fee

The prices and discounts set forth in this part pertain to all applications for use. A purchaser having once paid the appropriate fee for one use must re-apply for use for any other purpose and make payment as shown in this part for the additional use.

7) Revisions in Pricing

The Council will, from time to time, examine and may modify the prices set forth in this part. All data products for the discharge time periods 1987 through 1991 shall be priced according to the original guidelines covering that period. All products for subsequent quarters shall be priced according to this part.

8) Payment Terms

Payment by check or money order is required at the time the order or application is filed with the Council. The Council shall refund payments to applicants to which the Council voted not to release the data which were applied for.

9) Council Not Required to Perform Studies

While these Rules allow for applicants to request specific file formats and report layouts, the Council shall not accept applications to provide such unless it deems that it is in the best interests of the Council to do so, and that the requestor cannot reasonably be expected to derive the same result through purchase of an existing Data Product or Customized Report or DataSet.

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- A) Where the Council does determine that it will perform a non-standard study for a requestor, the requestor shall pay the Council's estimated direct costs with a surcharge of 35% for indirect costs in advance of the performance of the study.
- B) The Council may, at its discretion, apply discounts to the charges assessed requestors of this sort of service consistent with those set forth in Section 2510.70(g)(3).

10) Licensing Standards and Procedures

Pursuant to Section 2510.70(g)(1)(E), the Council may grant licenses to entities wishing to re-release data acquired from the Council or information derived therefrom. Such licenses are to be given for specified products and units of product. Licenses shall also be specific as to the purpose for which the data will be used by the licensee and those third parties to whom the licensee anticipates releasing information. Licenses for controlled release products shall be specific as to the class of third parties to whom the licensee may release the information. Having been granted permission for one product, unit of product, purpose or class of customer/third party, a licensee will need to re-apply and make additional payment for additional products, units of product, purposes and classes of customers.

A) Fee Basis

Licenses shall be granted for a base fee to be paid by the licensee regardless of the number of third parties to whom the licensee intends to release the information, as well as per-customer fee for each customer. At the time of application for license, the prospective licensee shall state who the prospective customers are and pay the base fee and per-customer fees known at the time of application. Subsequently, the licensee shall pay the per-customer fee to the Council in advance of releasing information to the customer for each customer to whom the license releases information.

B) Public and Controlled-Release Licenses

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Licenses of Public Release products may make the release to third parties contingent only upon making payment to the Council and good standing with the Council in performance of stipulated responsibilities in the license agreement. Licensees of Controlled Release products must also have advance Council permission for release to each individual customer, unless otherwise agreed to by the Council in the license agreement.

C) Base and Per-Customer Fees by Product

Subject to discounts as set forth in Sections 2510.70(g)(3) and 2510.70(g)(4), licenses shall pay all or part of the Class I fees set forth in the part. Per Customer Fees will be \$1,000 per Category I customer, with discounts as set forth in Sections 2510.70(g)(3) and 2510.70(g)(4) based upon the for-profit status of the individual customer.

11) Revisions in License Fees

The Council will, from time to time, examine and may modify the fees set forth in this part. The Council may do so no more frequently than once during each State of Illinois Fiscal Year.

A) On the effective date of this Rules, all licenses for the discharge time periods of 1987 through 1991 shall have the prices as set forth in this part.

B) The Council shall make fee changes for subsequent calendar years coincident with availability of data for the first quarter of the newest calendar year.

C) Fees set for the newest calendar year shall not apply to licenses already in force for prior discharge years.

h) No compilations of data shall be released by the requesting entity after receipt of the report from the Council without the prior written approval of the Council. Requests for such approval should be filed with the Executive Director.

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h) Basis of Charge for Other Services and Products of the Council

1) Inpatient Discharge Data Quarterly Reports

These reports are to be made available on an annual (four quarter) subscription basis for \$50 (fifty dollars). Requests for all or part of quarterly reports which are made on an *ad hoc* as opposed to subscription basis shall be filled at a charge of \$12.50 (twelve dollars and fifty cents) per quarter.

2) Hospital Data Quality Diagnostic and Corrective Services

As funding and staffing permit, the Council shall make the following services available to Illinois hospitals which submit data to the Council under legislative mandate:

A) Error Records by Batch on Magnetic Media

Hospitals, by making written request as specified by the Council, may obtain a magnetic tape or diskette containing the records in error in a given batch of claims data submitted to the Council. The records will be written by the Council to tape or diskette in physical formats to be determined by the Council and provided to the submitting hospital or service bureau along with the media submitted to the Council and the usual error and other reports provided by the Council in the conduct of the ordinary data collection function.

i) The cost of this service to the requesting hospital shall be as follows. For magnetic tape, the cost shall be a minimum of \$25 (twenty five dollars) plus \$0.45 (forty five cents) per record thus provided to the hospital. For diskettes, the cost shall be \$10 (ten dollars) plus \$0.45 (forty five cents) per record thus provide to the hospital.

ii) The unit of charge shall be one batch, a batch being defined as on header record, one or more detail records, and trailer. Where the data are improperly formatted such that no header or no trailer can be identified, the

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unit of charge shall be the physical volume on which the hospital submitted the data.

- iii) Hospitals shall be billed by the Council on a monthly or twice monthly basis for all such services provided during the month. The terms of payment shall be net 30 days.
- iv) It shall be the responsibility of hospitals and their agents to insure that individuals requesting these services are authorized to obligate the funds of the corporation, client, or firm requesting the data.

B) Error Records or Database Records for Open Quarters

Hospitals may obtain valid records loaded to the IHCCCC Inpatient Discharge Data System database and accumulated records in error and rejected by the Council for quarters not yet closed for detail data submission for a fee.

- i) The cost of this service to the requesting hospital shall be as follows. For magnetic tape, the cost shall be a minimum of \$100 (one hundred dollars) plus \$0.45 (forty five cents) per record thus provided to the hospital. For diskettes, the cost shall be \$50 (fifty dollars) plus \$0.45 (forty five cents) per record thus provide to the Hospital.
- ii) Payment in advance for the data thus provided will be required. IHCCCC will provide a fee quotation upon request.

3) Seminars, Colloquia, and Other Meetings

In order to offset the costs of presenting informational programs to the public and to Council constituencies, the Council may charge a fee to participants covering the reasonable costs of presentation materials and equipment, guest presenters expenses, travel expenses of Council Staff, and meeting facilities. At the request of participants, the Council may also negotiate group rates for accommodations and amenities at such meetings and pass the cost and overhead along to participants in the fee charged for attendance.

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i) Funds received by the Council for requests for special studies and analysis pursuant to this section shall be deposited in the Illinois Health Care Cost Containment Council's Special Studies Fund. In determining the cost of producing studies, the Council will perform an analysis of the direct and indirect costs associated with the production of the study.

ii) Direct Costs

- i) Direct costs will be determined by the following steps:
 - A) Assessment and Analysis Request—initial review of request to determine its objective, scope and consistency with statute, administrative rule and agency policy; assignment of request to project management staff.
 - B) Request Initiation and Feasibility Study—technical review of request to determine its completeness, difficulty and likely agency costs/staffing needs to complete the request; draft staff recommendations to the Council for their review and disposition.
 - C) System Analysis and Design—detailed identification of data and methodology necessary to fulfill the request; specify inputs, outputs and evaluation criteria.
 - D) Program/Development and Testing—develop/test computer programs required to process raw data into necessary report formats.
 - E) Implementation—execute computer programs established in Subsection (i)(1)(B).
 - F) Post Implementation Evaluation—review results of program execution to verify the correctness of processing. (Internal Validity Checks)
 - G) Development and Review of Data Analysis—review results in terms of other independent analyses, prevailing theories and research theses. (External Validity Checks)

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- H) ~~Preparation of Final Report—prepare text, tables or demonstrations of data analysis established in Subsection (j)(4)(G). Present to Council for final review and approval.~~

- 2) ~~Direct costs consist of both labor and non-labor costs. Labor direct costs will be calculated by recording the actual hours spent by Council staff or outside consultants performing the functions enumerated in Subsection (j)(4)(A) through (H) multiplied by the appropriate hourly rate for the grade and title of the staff member or consultant. The appropriate hourly rate for a consultant will be contained in the consultant's negotiated contract. Non-labor direct costs such as computer CPU time and related computer expenses, (e.g., including but not limited to, costs of computer paper, online storage lease charges, tape mount charges, access to proprietary databases), printing magnetic tape or diskettes, and any other associated required materials or supplies (e.g., including but not limited to, costs of postage, slide preparation, acquisition of source materials, books and journals) will be recorded and allocated to the study as a direct pass-thru of the actual costs incurred. All computer costs associated with the generation of the request on the State's Consolidated Computer Facility (CCF) will be charged at the prevailing rate determined by the Department of Central Management Services (DCMS).~~

- K) ~~Indirect costs will be charged at the rate of 35 percent of direct costs.~~

- I) ~~The Council will maintain accurate records to record all direct and indirect costs associated with a study and provide these to the requester upon completion of the study.~~

(Source: Emergency Amendment at 17 Ill. Reg. 2031, effective January 29, 1993, for a maximum of 150 days)

Section 2510.90
EMERGENCY Hospital Review

- A) The Council shall provide hospitals upon their request with access to magnetic media at no charge containing a record for each record submitted by the hospital residing on the Council's database as of the closing of a

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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quarter's data collection period. The media shall include all information submitted by the hospital as well as all Council derived elements including but not limited to the following: Major Diagnostic Category, Diagnosis Related Groups and Length of Stay. The data shall be made available to a hospital in at least as useful a format as that in which it was submitted by the hospital.

- B) Requests shall be made by the hospital for this machine readable copy of their data, together with derived elements, at any time during the period in which review of a closed quarter's data is conducted in the Council's collection process. Hospital shall have ten business days from the date of the receipt of the requested machine readable data at the hospital to review said data and file comments with the Council. Following closure of a quarter's submission time frame the data submitted by hospitals shall not be subject to change. However, errors in Council-derived field shall be open for change in accordance with conditions and practice established between hospitals and the Council.

- C) Hospitals shall be assessed a charge if they elect to use the Council-derived data elements for a purpose other than verification of the accuracy of the Council's data reports and releases. This charge shall be the same as that established by the Council for all purchases of such data.

(Source: Emergency Rule Added at 17 Ill. Reg. 2031, effective January 29, 1993 for a maximum of 150 days)

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Procedures and Standards

2) Code Citation: 92 Ill. Adm. Code 1001

3) Section Numbers: Emergency Action:

1001.500 New Section
1001.510 New Section
1001.520 New Section
1001.530 New Section
1001.540 New Section

4) Statutory Authority: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103; and 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118) (625 ILCS 5/ 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118). Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101). Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3) (625 ILCS 5/ 2-103, 2-104, 6-205(c), and 6-206(c)3). Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208). Subpart E implementing Sections 6-906, 6-908, 2-113, 2-118, 2-123, 6-103 and 6-201 and authorized by Sections 2-103, 2-104, 6-906 and 6-909 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, 6-908, 6-909) (625 ILCS 5/ 2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, 6-908, 6-909).

5) Effective Date of Amendments: January 27, 1993

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: No

7) Date Filed in Agency's Principal Office: January 6, 1993

8) Reason for Emergency: PA 87-1249, effective December 24, 1992, creating the Driver License Medical Review Law of 1992, requires rules be adopted to implement the hearing provision at Section 6-906 (625 ILCS 5/6-900 et. seq)

9) A Complete Description of the Subjects and Issues Involved: Sets forth the manner in which hearings are to be held for Petitioners whose driving privileges have been cancelled or restricted due to medical reasons.

NOTICE OF EMERGENCY AMENDMENTS

10) Are there any other proposed amendments pending on this Part? Yes

Sections Numbers	Proposed Action	Illinois Register Citation
1001.410	Emergency Amendment	16 Ill Reg 19926
1001.440	Emergency Amendment	16 Ill Reg 19926
1001.10	Amendment	16 Ill Reg 19761
1001.20	Amendment	16 Ill Reg 19761
1001.100	Amendment	16 Ill Reg 19761
1001.110	Amendment	16 Ill Reg 19761
1001.220	Amendment	16 Ill Reg 19761
1001.300	Amendment	16 Ill Reg 19761
1001.310	Amendment	16 Ill Reg 19761
1001.320	Amendment	16 Ill Reg 19761
1001.330	Amendment	16 Ill Reg 19761
1001.340	Amendment	16 Ill Reg 19761
1001.350	Amendment	16 Ill Reg 19761
1001.360	Amendment	16 Ill Reg 19761
1001.400	Amendment	16 Ill Reg 19761
1001.410	Amendment	16 Ill Reg 19761
1001.420	Amendment	16 Ill Reg 19761
1001.430	Amendment	16 Ill Reg 19761
1001.440	Amendment	16 Ill Reg 19761
1001.450	Amendment	16 Ill Reg 19761
1001.460	Amendment	16 Ill Reg 19761
1001.470	Amendment	16 Ill Reg 19761
1001.485	Amendment	16 Ill Reg 19761

11) Statement of Statewide Policy Objectives: These proposed amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

12) Information and questions regarding this rule amendment shall be directed to:

Jay L. Mesi, Senior Legal Advisor
Secretary of State
Department of Administrative Hearings
Room 200, Michael J. Howlett Building
Springfield, Illinois 62756

The full text of the emergency amendments begins on the next page:

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATESUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS,
REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF
DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

PART 1001

PROCEDURES AND STANDARDS

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section	Applicability
1001.10	Definitions
1001.20	Right to Counsel
1001.30	Appearance of Attorney
1001.40	Special Appearance
1001.50	Substitution of Parties
1001.60	Commencement of Actions; Notice of Hearing
1001.70	Motions
1001.80	Form of Papers
1001.90	Conduct of Formal Hearings
1001.100	Orders
1001.110	Record of Hearings
1001.120	Invalidity
1001.130	

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section	Applicability
1001.200	Definitions
1001.210	Hearings: Notice; Location; Procedures; Record
1001.220	Rules of Evidence
1001.230	Scope of Hearings
1001.240	Decisions and Orders
1001.250	Rehearings
1001.260	Judicial Review
1001.270	Invalidity
1001.280	

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS
IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section	Applicability
1001.300	Definitions
1001.310	Right to Representation
1001.320	Records and Reports
1001.330	Location of Hearings
1001.340	Duties and Responsibilities
1001.350	Decisions
1001.360	Invalidity
1001.370	

Section	Applicability
1001.400	Definitions
1001.410	General Provisions Relating to the Issuance of Restricted Driving Permits
1001.420	General Provisions for Reinstatement of Driving Privileges after Revocation
1001.430	Provisions for Alcohol and Drug Related Revocations, Suspensions, Cancellations, and Denials
1001.440	New Hearings
1001.450	Requests for Modification of Revocations and Suspensions
1001.460	Renewal, Correction and Cancellation of RDP's
1001.470	Unsatisfied Judgement Suspensions
1001.480	Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact
1001.485	Invalidity
1001.490	

SUBPART E: FORMAL MEDICAL HEARINGS

1001.500	Applicability
EMERGENCY	Definitions
1001.510	Procedure
EMERGENCY	Conduct of Medical Formal Hearings
1001.520	Subsequent Hearings
EMERGENCY	
1001.530	
EMERGENCY	
1001.540	
EMERGENCY	

AUTHORITY: Subpart A implementing Sections 2-113, 2-118, 2-103, 2-104, 2-106, 2-107, 2-108, 2-109, 2-110, 2-111, 2-112, 2-113, 2-114, 2-115, 2-116, 2-117, 2-118, 2-119, 2-120, 2-121, 2-122, 2-123, 2-124, 2-125, 2-126, 2-127, 2-128, 2-129, 2-130, 2-131, 2-132, 2-133, 2-134, 2-135, 2-136, 2-137, 2-138, 2-139, 2-140, 2-141, 2-142, 2-143, 2-144, 2-145, 2-146, 2-147, 2-148, 2-149, 2-150, 2-151, 2-152, 2-153, 2-154, 2-155, 2-156, 2-157, 2-158, 2-159, 2-160, 2-161, 2-162, 2-163, 2-164, 2-165, 2-166, 2-167, 2-168, 2-169, 2-170, 2-171, 2-172, 2-173, 2-174, 2-175, 2-176, 2-177, 2-178, 2-179, 2-180, 2-181, 2-182, 2-183, 2-184, 2-185, 2-186, 2-187, 2-188, 2-189, 2-190, 2-191, 2-192, 2-193, 2-194, 2-195, 2-196, 2-197, 2-198, 2-199, 2-200, 2-201, 2-202, 2-203, 2-204, 2-205, 2-206, 2-207, 2-208, 2-209, 2-210, 2-211, 2-212, 2-213, 2-214, 2-215, 2-216, 2-217, 2-218, 2-219, 2-220, 2-221, 2-222, 2-223, 2-224, 2-225, 2-226, 2-227, 2-228, 2-229, 2-230, 2-231, 2-232, 2-233, 2-234, 2-235, 2-236, 2-237, 2-238, 2-239, 2-240, 2-241, 2-242, 2-243, 2-244, 2-245, 2-246, 2-247, 2-248, 2-249, 2-250, 2-251, 2-252, 2-253, 2-254, 2-255, 2-256, 2-257, 2-258, 2-259, 2-260, 2-261, 2-262, 2-263, 2-264, 2-265, 2-266, 2-267, 2-268, 2-269, 2-270, 2-271, 2-272, 2-273, 2-274, 2-275, 2-276, 2-277, 2-278, 2-279, 2-280, 2-281, 2-282, 2-283, 2-284, 2-285, 2-286, 2-287, 2-288, 2-289, 2-290, 2-291, 2-292, 2-293, 2-294, 2-295, 2-296, 2-297, 2-298, 2-299, 2-300, 2-301, 2-302, 2-303, 2-304, 2-305, 2-306, 2-307, 2-308, 2-309, 2-310, 2-311, 2-312, 2-313, 2-314, 2-315, 2-316, 2-317, 2-318, 2-319, 2-320, 2-321, 2-322, 2-323, 2-324, 2-325, 2-326, 2-327, 2-328, 2-329, 2-330, 2-331, 2-332, 2-333, 2-334, 2-335, 2-336, 2-337, 2-338, 2-339, 2-340, 2-341, 2-342, 2-343, 2-344, 2-345, 2-346, 2-347, 2-348, 2-349, 2-350, 2-351, 2-352, 2-353, 2-354, 2-355, 2-356, 2-357, 2-358, 2-359, 2-360, 2-361, 2-362, 2-363, 2-364, 2-365, 2-366, 2-367, 2-368, 2-369, 2-370, 2-371, 2-372, 2-373, 2-374, 2-375, 2-376, 2-377, 2-378, 2-379, 2-380, 2-381, 2-382, 2-383, 2-384, 2-385, 2-386, 2-387, 2-388, 2-389, 2-390, 2-391, 2-392, 2-393, 2-394, 2-395, 2-396, 2-397, 2-398, 2-399, 2-400, 2-401, 2-402, 2-403, 2-404, 2-405, 2-406, 2-407, 2-408, 2-409, 2-410, 2-411, 2-412, 2-413, 2-414, 2-415, 2-416, 2-417, 2-418, 2-419, 2-420, 2-421, 2-422, 2-423, 2-424, 2-425, 2-426, 2-427, 2-428, 2-429, 2-430, 2-431, 2-432, 2-433, 2-434, 2-435, 2-436, 2-437, 2-438, 2-439, 2-440, 2-441, 2-442, 2-443, 2-444, 2-445, 2-446, 2-447, 2-448, 2-449, 2-450, 2-451, 2-452, 2-453, 2-454, 2-455, 2-456, 2-457, 2-458, 2-459, 2-460, 2-461, 2-462, 2-463, 2-464, 2-465, 2-466, 2-467, 2-468, 2-469, 2-470, 2-471, 2-472, 2-473, 2-474, 2-475, 2-476, 2-477, 2-478, 2-479, 2-480, 2-481, 2-482, 2-483, 2-484, 2-485, 2-486, 2-487, 2-488, 2-489, 2-490, 2-491, 2-492, 2-493, 2-494, 2-495, 2-496, 2-497, 2-498, 2-499, 2-500, 2-501, 2-502, 2-503, 2-504, 2-505, 2-506, 2-507, 2-508, 2-509, 2-510, 2-511, 2-512, 2-513, 2-514, 2-515, 2-516, 2-517, 2-518, 2-519, 2-520, 2-521, 2-522, 2-523, 2-524, 2-525, 2-526, 2-527, 2-528, 2-529, 2-530, 2-531, 2-532, 2-533, 2-534, 2-535, 2-536, 2-537, 2-538, 2-539, 2-540, 2-541, 2-542, 2-543, 2-544, 2-545, 2-546, 2-547, 2-548, 2-549, 2-550, 2-551, 2-552, 2-553, 2-554, 2-555, 2-556, 2-557, 2-558, 2-559, 2-560, 2-561, 2-562, 2-563, 2-564, 2-565, 2-566, 2-567, 2-568, 2-569, 2-570, 2-571, 2-572, 2-573, 2-574, 2-575, 2-576, 2-577, 2-578, 2-579, 2-580, 2-581, 2-582, 2-583, 2-584, 2-585, 2-586, 2-587, 2-588, 2-589, 2-590, 2-591, 2-592, 2-593, 2-594, 2-595, 2-596, 2-597, 2-598, 2-599, 2-600, 2-601, 2-602, 2-603, 2-604, 2-605, 2-606, 2-607, 2-608, 2-609, 2-610, 2-611, 2-612, 2-613, 2-614, 2-615, 2-616, 2-617, 2-618, 2-619, 2-620, 2-621, 2-622, 2-623, 2-624, 2-625, 2-626, 2-627, 2-628, 2-629, 2-630, 2-631, 2-632, 2-633, 2-634, 2-635, 2-636, 2-637, 2-638, 2-639, 2-640, 2-641, 2-642, 2-643, 2-644, 2-645, 2-646, 2-647, 2-648, 2-649, 2-650, 2-651, 2-652, 2-653, 2-654, 2-655, 2-656, 2-657, 2-658, 2-659, 2-660, 2-661, 2-662, 2-663, 2-664, 2-665, 2-666, 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the following duties:

- A) Inform the Petitioner of the purpose of the hearing.
- B) Inform the Petitioner of the scope of relevant medical issues which were determined by the medical review panel.
- C) Read into the record the entries contained in the Petitioner's driving abstract.
- D) Rule on motions, the admissibility of evidence, and determine all other nonmedical related issues pending before the hearing committee.
- 2) Three (3) members of the board, who shall be selected by the chairperson or his/her designee, based upon the member's expertise or specialty in the field of medicine at issue. These members shall determine all medical related issues pending before the committee, based upon the medical criteria found in 92 Ill. Adm. Code 1030.18

g) The hearing shall proceed in the following manner:

- 1) The hearing officer will introduce the individual members of the hearing committee.
- 2) The hearing officer will explain the scope of the medical issues and read into the record the contents of the Petitioner's driving abstract.
- 3) The Petitioner will be allowed to present evidence in the form of documents and/or testimony consistent with the scope of the hearing.
- 4) The hearing committee members will be allowed to ask questions of the Petitioner and/or any witnesses regarding the medical evidence presented. The hearing officer may ask questions concerning procedural and other matters as he/she deems necessary.
- 5) At the conclusion of the Petitioner's evidence and questioning by the hearing committee, the Petitioner will be allowed to make a closing statement.
- 6) After any closing statement, the hearing committee shall render a decision regarding the issues presented, in whole or in part, except that the matter may be taken under advisement to review pertinent evidence.

- h) After the hearing, the hearing committee shall prepare a written report which shall include findings of fact, conclusions of law, recommendations of the hearing committee, and the order of the Secretary.

- 1) The hearing officer shall, with the aid of the board members, prepare the findings of fact, conclusions of law, recommendations to the Secretary, and a proposed order of the Secretary, based upon the recommendations of the board members regarding the medical issues.

- 2) The Secretary will then enter an order following the recommendations of the hearing committee. This order will be a final, appealable administrative order within the meaning of the Administrative Review Law (735 ILCS 5/3-101 et seq.).

- i) The Office shall send a copy of the written report to the Petitioner and any attorney of record.

(Source: Emergency rule added at 17 Ill. Reg. 2047, effective January 27, 1993 for a maximum of 150 days.)

Section 1001.540 Subsequent Hearings

EMERGENCY

If a petitioner is denied the relief requested at a formal medical hearing, another such hearing will not be granted unless the petitioner's case is again reviewed by the medical review panel after the submission of new evidence.

(Source: Emergency rule added at 17 Ill. Reg. 2047, effective January 27, 1993 for a maximum of 150 days.)

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1) The Heading of the Part: Guaranteed Loan Programs

2) Code Citation: 23 Ill. Adm. Code 2720

3) Section numbers: Emergency Action:
2720.40 Amendment

4) Statutory Authority: Implementing Section 80 et seq. of the Higher Education Student Assistance Act (Ill. Rev. Stat. 1991, ch. 122, sec. 80 et seq. as amended by P.A. 87-997); Title IV, Part B, of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1071 et seq.); and authorized by Section 20(f) of the Higher Education Student Assistance Act (Ill. Rev. Stat. 1991, ch. 122, sec. 20(f)).

5) Effective Date of Rule(s) Amendments: February 1, 1993

6) If this emergency rule amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: These emergency rules amendments are not scheduled to expire before the expiration of the 150-day period.

7) Date Filed in Agency's Principal Office: January 28, 1993

8) Reason for Emergency: These emergency rules amendments have been adopted to comply with Section 428H of the federal Higher Education Act, as amended, which mandates that guarantee agencies provide all eligible borrowers with access to unsubsidized Federal Stafford Loans. (See the Higher Education Amendments of 1992, P.L. 102-325.)

ISAC was unable to enact amendments through the regular rulemaking process in sufficient time to make them effective for the processing of unsubsidized Federal Stafford Loans for the second half of the 1992-93 academic year. With the passage of the federal law, ISAC has been working diligently to update forms, systems and procedures to accommodate this new loan program, so that this agency would be able to respond once clients began requesting these loans. In the absence of emergency amendments, ISAC would have no means by which to provide schools and lenders with an opportunity to meet the needs of their students who previously had limited or no eligibility for need-based student loans. Unsubsidized Federal Stafford Loans represent an important initiative in providing assistance to students who may not demonstrate financial need in the current methodology, though in reality their families still need assistance to pay for the cost of higher education. Failure to offer this type of financial assistance could create unnecessary financial hardships on Illinois citizens. It is imperative that this emergency amendment take effect immediately to ensure the uninterrupted delivery of funds to students and

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postsecondary institutions in Illinois. On the basis of the foregoing factors, ISAC finds that there is a threat to the public interest and welfare which constitutes an emergency amendment within the meaning of Section 5.02 of the Administrative Procedure Act.

9) A Complete Description of the Subjects and Issues Involved: Recent amendments to the federal Higher Education Act of 1965, through a process known as Reauthorization, have created sweeping changes in the administration of student financial assistance programs (see the Higher Education Amendments of 1992, P.L. 102-325), including the federal loan programs administered by ISAC.

One of the amendments created an unsubsidized version of the Federal Stafford Loan Program for middle income families (see Section 428H). Students benefitting from this new type of loan will be those who do not qualify for, or those with limited eligibility for, regular subsidized Federal Stafford loans since unsubsidized loans are not based on financial need. In a recent Dear Colleague letter (CEN 92-21, dated October 1992), the U.S. Department of Education stated that guarantee agencies must ensure that all eligible borrowers are provided with access to unsubsidized Stafford loans to cover the cost of instruction for periods of enrollment beginning on or after October 1, 1992. For institutions using standard terms, the applicable period of enrollment is the next scheduled term (e.g., spring semester, winter quarter, etc.). Although virtually all of the same terms and conditions that apply to the subsidized Federal Stafford Loan program pertain to the unsubsidized Federal Stafford loan program, rules changes were necessary to implement the new program.

Also included in Higher Education Amendments of 1992 was a requirement that the guarantor ensure that the borrower have only one lender and one holder, to the extent practicable (See Section 485C). This action affirmed and strengthened the long-standing ISAC one-lender and one-holder rules and applied these policies on a nationwide basis. The purpose of these rules was to simplify the repayment process and thus minimize the possibility of default, by providing that a borrower needs to interact with only one lender for the purposes of repayment, deferments, etc. Additions had to be made to these rules so that unsubsidized loans were included in this requirement.

In order to implement these new provisions, ISAC is amending its rules to accommodate the new unsubsidized Federal Stafford loan program. Section 2720.40(f)(1), which contains what commonly has been referred to as ISAC's "one-lender" rule, has been amended to ensure that all outstanding subsidized and unsubsidized loans are made by the same commercial lender. Section 2720.40(f)(2), which contains what commonly has been referred to as ISAC's "one-holder" rule, has had a paragraph added to ensure that

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subsidized and unsubsidized Stafford loans made within the same academic year are sold simultaneously to the same holder -- in an effort to simplify the repayment process for borrowers. Finally, Section 2720.40(h) has been amended, in accordance with Reauthorization, to clarify that lenders cannot require co-makers or endorsers (co-signers) for subsidized or unsubsidized Stafford loans.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2720
GUARANTEED LOAN PROGRAMS

10) Are there any proposed amendments to this Part pending? Yes

SUBPART A: LOAN GUARANTEE PROGRAMS:
THE ROBERT T. STAFFORD LOAN PROGRAM, PLUS PROGRAM,
SUPPLEMENTAL LOANS FOR STUDENTS (SLS) PROGRAM,
AND CONSOLIDATION LOAN PROGRAM

Section Numbers	Proposed Action	Illinois Register Citation
2720.5	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.6	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.10	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.20	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.25	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.30	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.40	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.41	Added	17 Ill. Reg. 1403, February 5, 1993
2720.42	Added	17 Ill. Reg. 1403, February 5, 1993
2720.50	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.55	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.60	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.70	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.80	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.90	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.105	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.120	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.130	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.200	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.210	Amendment	17 Ill. Reg. 1403, February 5, 1993
2720.Appendix A	Amendment	17 Ill. Reg. 1403, February 5, 1993

11) Statement of Statewide Policy Objectives: This rulemaking does not affect local governmental agencies.

12) Information and questions regarding this emergency rule amendment shall be directed to:

Name: Ms. Raquel G. Martinez
Compliance Counsel

Address: Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, Illinois 60015

The full text of the emergency rules amendments begin on the next page:

Section	Summary and Purpose
2720.5	Definitions
2720.6	Eligibility for ISAC Loan Guarantees
2720.10	Lender Eligibility
2720.20	Educational Institution Lender Eligibility
2720.25	Institutional Eligibility
2720.30	Procedures for Obtaining a Guaranteed Loan
2720.40	EMERGENCY
2720.50	Procedures for Disbursement and Repayment
2720.55	Consolidation Loan Program
2720.60	Preclaim Assistance
2720.70	Reimbursement Procedures
2720.80	Student Insurance Premium
2720.90	Guarantee Transfers

SUBPART B: ILLINOIS DESIGNATED ACCOUNT PURCHASE PROGRAM (IDAPP)

2720.105	Summary and Purpose
2720.120	IDAPP Eligible Loans
2720.130	IDAPP Eligible Lenders

SUBPART C: ISAC ORIGINATED LOANS

2720.200	ISAC Originated Consolidation Loans
2720.210	Illinois Opportunity Loan Program

2720.App. A Required Activities of Educational Lenders

AUTHORITY: Implementing Section 80 et seq. of the Higher Education Student Assistance Act (Ill. Rev. Stat. 1991, ch. 122, sec. 80 et seq. as amended by P.A. 87-997) [110 ILCS 947/80]; Title IV, Part B, of the Higher Education Act of 1965, as amended (20 U.S.C.A. 1071 et seq.); and authorized by Section 20(f) of the Higher Education Student Assistance Act (Ill. Rev. Stat. 1991, ch. 122, sec. 20(f)) [100 ILCS 947/20(f)].

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SOURCE: Adopted at 3 Ill. Reg. 4, p.38, effective January 26, 1979; amended at 5 Ill. Reg. 8698, effective August 17, 1981; emergency rule and emergency repealer at 6 Ill. Reg. 7558, 7573, effective June 9, 1982, for a maximum of 150 days; new rules adopted at 6 Ill. Reg. 13799, effective October 25, 1982; old rules repealed at 6 Ill. Reg. 15254, effective December 3, 1982; emergency amendment at 7 Ill. Reg. 9942, effective August 8, 1983, for a maximum of 150 days; codified at 7 Ill. Reg. 13309; amended at 8 Ill. Reg. 876, effective January 9, 1984; amended at 8 Ill. Reg. 7286, effective May 18, 1984; amended at 8 Ill. Reg. 17006, effective September 5, 1984; amended at 9 Ill. Reg. 20796, effective January 1, 1986; amended at 11 Ill. Reg. 3181, effective January 29, 1987; emergency amendment at 11 Ill. Reg. 13669, effective August 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14103, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 18370, effective October 23, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20989, effective January 1, 1988; amended at 12 Ill. Reg. 6971, effective April 1, 1988; amended at 12 Ill. Reg. 11520, effective July 1, 1988; emergency amendment at 12 Ill. Reg. 15221, effective September 15, 1988, for a maximum of 150 days; emergency expired February 12, 1989; amended at 13 Ill. Reg. 2872, effective February 16, 1989; amended at 13 Ill. Reg. 8630, effective July 1, 1989; transferred from Chapter IX, 23 Ill. Adm. Code 1720 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2720 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17855; emergency amendment at 14 Ill. Reg. 4266, effective March 1, 1990 for a maximum of 150 days; amended at 14 Ill. Reg. 10553, effective July 1, 1990; amended at 14 Ill. Reg. 10941, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 18769, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 4062, effective February 28, 1992; amended at 16 Ill. Reg. 11224, effective July 1, 1992; emergency amendment at 17 Ill. Reg. 2055, effective February 1, 1993, for a maximum of 150 days.

Section 2720.40 Procedures for Obtaining a Guaranteed Loan
EMERGENCY

a) Borrowers who are eligible for a loan guarantee in accordance with Section 2720.10 are issued a notice of guarantee/disclosure statement. All promissory notes must be in a form furnished or approved by ISAC. No alteration or substitution may be used.

b) All loans are made at the Lender's discretion. When a Lender rejects a borrower's application/promissory note, the Lender shall issue a Notice of Non-acceptance form to the borrower.

1) Should an Applicant be unable to secure an ISAC Guaranteed Loan from an approved Lender, ISAC shall refer the Applicant to a Lender who has indicated a willingness to issue a Guaranteed Loan.

2) An Applicant must submit to ISAC a written request for a Lender referral. The request must include copies of three

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written notifications from approved Lenders that indicate a refusal to approve a loan application.

c) The availability of an ISAC Guaranteed Loan shall not be conditioned upon the purchase of credit life, life, accident, health, or other forms of insurance.

d) No Stafford Loan of less than \$150 shall be made by a Lender. A minimum loan amount of \$500 applies to PLUS and SLS. See Section 2720.10(f) for loan maximums.

e) The application/promissory note must be signed in ink. Signature stamps shall not be used.

f) Within any one of ISAC's Guaranteed Loan programs, all of a borrower's outstanding loans must be held by the same Lender or Holder.

1) Notwithstanding the residency requirements of Section 2720.10(b), if a Lender receives an application/promissory note, and the borrower has outstanding ISAC Guaranteed Loans(s) with that lender or a prior Lender, the following provisions apply:

A) A subsidized or unsubsidized Stafford Loan made by a commercial Lender will be guaranteed if the Lender holds has made all outstanding ISAC guaranteed Stafford Loans which the borrower has received through commercial Lenders, or has purchased all outstanding ISAC guaranteed subsidized Stafford Loans made by another commercial Lender.

B)----A non-subsidized Stafford loan made by a commercial Lender will be guaranteed if the Lender holds or has purchased all outstanding ISAC guaranteed non-subsidized Stafford Loans.

B6) A PLUS loan made by a commercial Lender will be guaranteed if the Lender holds or has purchased all outstanding ISAC guaranteed PLUS Loans made on behalf of the same student.

C9) A SLS loan made by a commercial Lender will be guaranteed if the Lender holds or has purchased all outstanding ISAC guaranteed SLS Loans made by another commercial Lender.

DE) A loan made by an educational Lender will be guaranteed

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if the Lender is an educational Institution at which the borrower is currently Enrolled and the borrower has previously made a good faith effort to obtain a loan from a commercial Lender pursuant to federal regulations. (See 34 CFR 682.601 (1990).)

- 2) If the Lender has sold the Applicant's previous subsidized or unsubsidized ISAC-Guaranteed Loan(s) to an approved Holder, the Lender shall sell all renewal loans to that same Holder no later than the last day of the third month of the grace period or no later than thirty days after the Lender became aware that the student ceased to be enrolled on at least a half-time basis. (See Section 2720.130(d).)

(A) Subsidized Stafford loans and unsubsidized Stafford loans made for loan periods within the same academic year shall be considered one loan and must be sold simultaneously.

(BA) Failure to sell the renewal loan by the deadline shall result in the loss of guarantee.

(CB) A guarantee may be reinstated if, within 90 days of identifying a loan in violation of subsection (f)(2) above, the Lender sells the loan to the eligible Holder who purchased the Applicant's previous loan(s).

- i) Initiation of the sale procedure within 90 days will retroactively reinstate the guarantee to the date the guarantee was lost due to a violation of subsection (f)(2) above, provided no other violation of federal regulation or State rule exists.

- ii) Failure to initiate the sale of the loan within 90 days of identifying the violation will result in loss of guarantee.

- 3) If a commercial Lender made the Applicant's previous ISAC-guaranteed loan(s), a subsequent loan will be guaranteed by ISAC provided the renewal loan is issued by the same commercial Lender that issued the previous loan(s).

- 4) The requirements of subsection (f)(1) above shall not apply if:

- (A) the outstanding loans are held by a Lender which has been either declared insolvent by a regulatory agency or has terminated its Agreement.

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- (B) the borrower informs ISAC, in writing, that he/she is dissatisfied with the previous Lender's performance and requests that subsequent loans be issued by a different Lender.

- g) Co-maker and Co-signers

- 1) Where two Parents or legal guardians reside in the same household, and the Parent or guardian applying for a PLUS loan guarantee is not the larger wage earner of the two, the Parent or legal guardian who is the larger wage earner must co-make the loan. This requirement shall not apply if, under current criteria employed by the Lender, the Applicant would be considered eligible for an unsecured loan of the same amount from such Institution. The Lender shall not require a co-maker on a SLS loan. At the Lender's option, a co-signer may be required on any PLUS or SLS loan.

- 2) The Lender shall not require a co-maker or co-signer on an unsubsidized or a subsidized Stafford Loan nor accept security for payment thereof.

- h) Lenders shall obtain the names and addresses of at least two references from each loan Applicant. Lenders shall submit the reference data to ISAC when requesting ISAC reimbursement pursuant to Section 2720.70.

(Source: Emergency amendment at 17 Ill. Reg. 2055, effective February 1, 1993, for a maximum of 150 days)

DEPARTMENT OF AGRICULTURE
NOTICE OF PEREMPTORY AMENDMENTS

DEPARTMENT OF AGRICULTURE
NOTICE OF PEREMPTORY AMENDMENTS

- 10) This rule is in compliance with Section 5.03 of the Illinois Administrative Procedure Act.
- 11) Are there any proposed amendments pending to this Part? No.
- 12) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local governments.
- 13) Information and questions regarding this adopted amendment shall be directed to:
Name: Judith Lozier
Address: Illinois Department of Agriculture
State Fairgrounds, Springfield,
Illinois 62794-9281
Telephone: 217/782-2172

The full text of the Peremptory amendment begins on the next page.

- 1) Heading of Part: Meat and Poultry Inspection Act
- 2) Code Citation: 8 Ill. Adm. Code 125
- 3) Section Nos.: Peremptory Action:
125.270 Amended
125.390 Amended
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act (Ill. Reg. Stat. 1991), ch. 56 1/2, par. 316); the Federal Meat Inspection Act (21 U.S.C.A. 661); the Federal Poultry Inspection Act (21 U.S.C.A. 454); 56 FR 67485 (1991).
- 5) Statutory Authority: The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 316).
- 6) Effective Date: February 12, 1993
- 7) A Complete Description of the Subjects and Issues Involved:

In order to maintain an "equal to" status with the federal meat and poultry inspection programs as required by the Federal Meat Inspection Act, the Federal Poultry Inspection Act, and in compliance with Section 16 of The Meat and Poultry Inspection Act, amendments to the federal meat and poultry inspection rules are being adopted.

The Food Safety and Inspection Service is amending the Federal meat and poultry products inspection regulations to permit the use of potassium lactate and sodium lactate as flavor enhancers and flavoring agents in various meat and poultry products. The Food and Drug Administration (FDA) has affirmed these substances as generally recognized as safe (GRAS) for use as direct human food ingredients, as flavor enhancers, flavoring agents, adjuvants, humectants, and pH control agents, except in infant formulas and infant food, when used at levels sufficient for purpose in accordance with good manufacturing practices. This amendment involves Sections 318.7(c)(4) and 381.147(f)(f) of the federal regulations.

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed in Agency's Principal Office: January 25, 1993

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
 CHAPTER I: DEPARTMENT OF AGRICULTURE
 SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT

PART 125

MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR
 POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation

SUBPART B: MEAT INSPECTION

Section	Livestock and Meat Establishments	Meat Products	Entering	Official
125.150	Equine and Equine Products			
125.160	Facilities for Inspection			
125.170	Sanitation			
125.180	Ante-Mortem Inspection			
125.190	Post-Mortem Inspection			
125.200	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts			
125.210	Humane Slaughter of Animals			
125.220	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment			
125.230	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking			
125.240	Marking Products and Their Containers			
125.250	Labeling, Marking and Containers			
125.260	Entry into Official Establishment; Reinspection and Preparation of Product			
125.270	Meat Definitions and Standards of Identity or Composition			
125.280				

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

125.290	Transportation
125.295	Imported Products
125.300	Special Services Relating to Meat and Other Products
125.305	Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section	
125.310	Application of Inspection
125.320	Facilities for Inspection
125.330	Sanitation
125.340	Operating Procedures
125.350	Ante-Mortem Inspection
125.360	Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370	Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380	Labeling and Containers
125.390	Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400	Definitions and Standards of Identity or Composition
125.410	Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by The Meat and Poultry Inspection Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 301 et seq.) and The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16).

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg.

NOTICE OF PEREMPTORY AMENDMENTS

18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 15 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993.

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SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR POULTRY INSPECTION

Section 125.270 Entry into Official Establishment; Reinspection and Preparation of Product

a) The Department incorporates by reference 9 CFR 318.1(c) through 318.7, 318.9 through 318.10, 318.14 through 318.20, 318.22, 318.300 through 318.311 (1990; 54 FR 43041, effective January 18, 1990; 55 FR 7294, effective August 28, 1990; 55 FR 34678, effective September 24, 1990, as amended by 55 FR 49991, December 4, 1990; 57 FR 27870, effective July 22, 1992; 57 FR 42885, effective October 19, 1992; 58 FR 4067, effective February 12, 1993).

b) No meat or meat product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, a federal inspection legend, or is exempt from inspection as stated in Section 125.110. Meat and meat products received in an official establishment during the absence of the inspector shall be identified as set forth in Section 125.200 and, unless exempt from inspection, shall not be used or prepared until they have been reinspected. Any meat and meat product originally prepared at any official establishment may not be returned to any part of such establishment other than the receiving area until it has been reinspected by the inspector and passed. Wild game carcasses shall comply with Section 5(B)(4) of the Act. The official establishment shall maintain an inventory of non-meat items (e.g., spices, preservatives) which are received at the official establishment. Any product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator of the establishment.

c) Reinspections of meat and/or meat products within the official establishment shall be performed through the use of a random digit table.

d) Docks and receiving rooms for meat and/or meat products or other articles used by the establishment in the preparation of meat products entering an official establishment shall be approved by the inspector if the

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location of such docks or receiving rooms will not permit such product or article to pass through rooms containing inspected and passed products.

e) The manner of defrosting frozen products and methods of treating to preserve products shall be in accordance with procedures as set forth in the "Meat and Poultry Inspection Manual" as adopted in Section 125.20.

f) Casings or weasand shall be inspected and passed if it is in compliance with the specific provisions as stated in 9 CFR 318.5(i) for passage of such articles.

g) The Department does not approve new substances to be used on meat or in meat products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used and artificial flavorings may be used if they do not adulterate the meat and/or meat product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.

h) References to exemptions from slaughter and custom slaughter shall mean those exemptions set forth in Section 125.110.

i) Reference to 9 CFR 327 are not applicable to the Department in its enforcement of the rules of this Part. References to the federal Poultry Inspection Act, Section 403 of the Act, Section 7 of the Act, 9 CFR 303, and paragraph 23(a) of the Act shall be interpreted to mean in accordance with The Meat and Poultry Inspection Act and the rules of this Part.

j) The Department does not approve thermometers for use in smokehouses, dry rooms and other compartments that are used in the treatment of pork.

k) Disinfectants shall be those as set forth in Section 125.180.

l) Adequate vacuum shall be determined through the use of vacuum gauges.

m) Canned products which may be processed without steam-pressure cooking shall be those products as stated in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

n) The inspector shall permit lots of canned product to be shipped from the official establishment prior to the completion of the incubation period on the representative samples in accordance with the specific provisions in 9 CFR 318.309.

o) The standards and procedures for determining when ingredients of finished products are in compliance with this Section shall be as set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

(Source: Peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993)

SUBPART C: POULTRY INSPECTION

Section 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements

a) The Department incorporates by reference 9 CFR 381.145(b) through 381.148, 381.149, 381.150 through 381.151, 381.200, 381.300 through 381.311 (1990; 55 FR 5976, effective March 23, 1990; 55 FR 23070, effective July 6, 1990; 56 FR 65179, effective January 15, 1992; 57 FR 28083, effective July 24, 1992, 57 FR 43588, effective October 21, 1992; 58 FR 4067, effective February 12, 1993).

b) No poultry or poultry product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, the federal inspection legend, or is exempt from inspection as stated in Section 125.110. However, poultry or poultry products imported into the United States may be transported to an inspection site in accordance with the provisions of 9 CFR 381.200 for reinspection.

c) Poultry and poultry products received in an official establishment during the absence of the inspector shall be identified as set forth in Section 125.360 and, unless exempt from inspection, shall not be used or prepared until they have been reinspected. Any poultry and/or poultry product originally prepared at any official establishment may not be returned to any part of such

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establishment other than the receiving area until it has been reinspected and passed by the inspector.

- d) The official establishment shall maintain an inventory of non-poultry items (e.g., spices, preservatives) which are received at the official establishment. Any product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator of the establishment.
- e) Reinspections of poultry and/or poultry products within the official establishment shall be performed through the use of a random digit table.
- f) Poultry feet shall be approved for processing for human food in accordance with the procedures set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- g) The Department does not approve new substances to be used on poultry or in poultry products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used if they will not adulterate the poultry and/or poultry product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.
- h) Ready-to-heat-and-eat poultry or stuffed ready-to-roast poultry may be moved from an official establishment prior to freezing in accordance with the provisions of Section 125.330 (specifically the incorporated language in 9 CFR 381.66(f)(3)).
- i) Any method of cleaning immediate containers used for the holding of poultry and poultry products shall be approved if such method is in compliance with the sanitation requirements (see Section 125.330).
- j) Canned poultry products which may be processed without steam-pressure cooking shall be those products as stated in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- k) The inspector shall permit lots of canned poultry products to be shipped from the official establishment prior to the completion of the incubation period on the representative samples in accordance with the specific provisions in 9

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CFR 381.309.

- 1) Disinfectants which may be used in an official establishment shall be those products on the "List of Proprietary Substances and Nonfood Compounds" as adopted by the Department in Section 125.20.

(Source: Peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF MODIFICATION

TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

1) The Heading of the Part:

Lead Poisoning Prevention Code

2) Code Citation:

77 Ill. Adm. Code 845

3) Section Numbers:

845.30

Action:

Modification

4) Date Notice of Proposed Amendments was Published in the Illinois Register:

16 Ill. Reg. 12314 - August 7, 1992

5) Date JCAR Statement of Objection Published in the Illinois Register:

January 29, 1993 - 17 Ill. Reg. 1243

6) Summary of Action Taken by Agency

Section 845.30, concerning lead abatement, has been revised to make procedures regarding lead contamination of areas outside of the abatement worksite, the removal of lead-bearing substances from the worksite, cleanup, and waste disposal recommended activities rather than requirements. Several subsections within Section 845.30 have been relabeled for the purpose of grouping required and recommended procedures. Specifically, the following revisions have been made to Section 845.30:

Section 845.30(a)(3) has been revised to read as follows:

may notify the owner of the dwelling or the residential building in writing, or in person, advising of the existence of such substances with instructions that these substances if accessible to children shall be removed, replaced or securely and permanently covered as required by subsections (d) through (i) below.

Section 845.30(a)(4) has been added to read as follows:

In order to ensure that lead abatement activities do not result in lead contamination of areas outside of the abatement worksite, the removal of lead-bearing substances from the dwelling or residential building shall be conducted in a manner that will not endanger the health or well-being of

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF MODIFICATION

TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

occupants and will result in the safe removal from the worksite and the safe disposal of flakes, chips, debris, dust, and other lead-bearing substances. Subsections (k), (l), (m), (n), (o), and (p) below specify recommended procedures for containment during abatement, cleanup, and disposal of lead-bearing substances. Adherence to these procedures will ensure that the above-mentioned requirement is met.

Proposed Section 845.30(e) has been relabeled as subsection (d).

Proposed Section 845.30(f) has been relabeled as subsection (e).

Proposed Section 845.30(g) has been relabeled as subsection (l) and changed from a requirement to a recommendation.

Proposed Section 845.30(h) has been relabeled as subsection (f).

Proposed Section 845.30(i) has been relabeled as subsection (g).

Proposed Section 845.30(j) has been relabeled as subsection (h).

Proposed Section 845.30(k) has been relabeled as subsection (i).

Proposed Section 845.30(l) has been relabeled as subsection (j).

Sections 845.30(m) and (n) have been changed from requirements to recommendations.

Proposed Section 845.30(o) has been relabeled as subsection (p) and changed from a requirement to a recommendation.

Proposed Section 845.30(p) has been relabeled as subsection (r).

Proposed Section 845.30(q) has been relabeled as subsection (s).

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

REQUEST FOR CORRECTION

- 1) Rule Affected: 83 Ill. Adm. Code 275.20(c)(3)(H)
- 2) Publication of Rulemaking Requiring Correction:
 - a) First Notice: June 5, 1992, at 16 Ill. Reg. 8269
 - b) Adoption Notice: January 4, 1993, at 17 Ill. Reg. 98
- 3) Agency Representative:
 Conrad Rubinkowski
 Illinois Commerce Commission
 527 East Capitol Avenue
 P.O. Box 19280
 Springfield, IL 62794-9280
 (217)785-8439

Any person who has questions or comments regarding the agency's Request for Expedited Correction may contact the agency representative.
- 4) Reason Certificate of Correction is Required: The effective date of the amendment was inadvertently changed after the submission by the agency of the Notice of Adopted Amendment.
- 5) Effect on the Affected Public: None.
- 6) Effective Date of Correction Recommended by the Agency and Explanation for the Recommended Date: January 1, 1993, since this will comply with requirements of Section 5-85 of the Illinois Administrative Procedure Act and also preserve the intent of the Commission.
- 7) Any person who wants to comment on the Request should contact the Joint Committee on Administrative Rules at the address or phone numbers below. However, commentators should be aware that the Joint Committee, in accordance with the expedited nature of this process, will be taking action on this issue as soon as possible.
 Joint Committee on Administrative Rules
 700 Stratton Office Building
 Springfield, IL 62706
 217/785-2254
 FAX: 217/524-0567
8. The full text of the Section, indicating the requested correction, follows:

ILLINOIS REGISTER

ILLINOIS COMMERCE COMMISSION

REQUEST FOR CORRECTION

- Section 275.20 Definitions
- As used herein, the term:
- a) "Affiliate of a Public Utility" shall include any individual or corporation which directly or indirectly controls, or is controlled by, or is under common control with, a public utility;
 - b) "Electric and Gas Public Utility" shall have the meaning assigned to it in Section 3-105 of the Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 3-105);
 - c) "Promotional Practices or Allowances" shall mean:
 - 1) Any payment, donation, gift, subsidy, conveyance, transfer or other consideration (whether in cash, property, merchandise, labor or as a guarantee) granted to any group, corporation or individual for the purpose or evident design of inducing the recipient to:
 - A) Purchase, select or use the service or additional service of the public utility;
 - B) Purchase or install equipment, facilities or appliances designed to use such utility service;
 - C) Specify the purchase or installation of equipment, facilities or appliances designed to use such utility service.
 - 2) The three subsections (a), (c)(1)(A) through (c)(1)(C) above shall include, without limitation:
 - A) Free, or less than cost, installation, operation, repair, modification or maintenance of equipment, facilities or appliances of any other person;
 - B) Free, or less than cost, public utility service;
 - C) Free, or less than cost, non-utility professional service except payments to architects or engineers for feasibility studies made on behalf of the utilities;

ILLINOIS COMMERCE COMMISSION

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- D) Payment of cash or other considerations to architects, builders, subdividers, developers or others in the same category for work done on property not owned by the utility;
- E) Less than cost financing of the purchase price of equipment, facilities or appliances;
- F) Guarantees as to the maximum amount of bills for utility service;
- G) Financing assistance -- the extension of credit, making of a loan or investment, directly or indirectly, to any group, corporation or individual by any means whatsoever including, without limitation, loans, advances, guarantees, investments, leases, sale and repurchase or sale and lease-back agreements, sales on open account and conditional or installment sales contracts;
- H) Discounts or allowances (including trade-in allowances, cash, merchandise or labor) for the purchase or service of air conditioning or heating equipment, stoves, refrigerators, washing machines, dryers or other appliances;
- I) Installation of free, or less than cost, wiring, piping or other facilities on the customer's side of a service entrance;
- J) Advertising or contributing to advertising on account of a customer or potential user of the utility's service.
- 3) Exceptions: Notwithstanding the foregoing definitions, the following shall not be considered as a promotional practice or allowance:
- A) Making emergency repairs to equipment, facilities or appliances of customers;
- B) Offering allowances or financing assistance to employees of the utility to encourage employees' use of the utility's service;

- C) Ownership by the utility of equipment for the utilization of its service when such ownership is incidental to demonstrations of sixty days or less in duration;
- D) Providing light bulbs, street or outdoor lighting service, service pipe or other service equipment or facilities, in accordance with rate schedules filed with and approved by the Commission;
- E) Providing appliances to an educational institution for the purpose of instructing students in the use of such appliances;
- F) Selling household appliances at retail and, in connection therewith, the holding of inventories, making and fulfillment of reasonable warranties against defects in material and workmanship existing at the time of delivery and the extension of credit, provided that the effective rate of interest on any deferred payments and the terms with respect thereto shall not be more favorable than those generally applicable to sales by non-utility dealers in such appliances, and provided that no such sale be made by the utility below its invoice cost and that no trade-in allowance in excess of market value may be made;
- G) Any action consistent with such rules as the Commission may, from time to time, adopt with respect to standards of service, local ordinances, franchises and contributions;
- H) As of January 1, 1994, practices or allowances which are part of a program designed to utilize economical means of conservation, non-conventional technologies relying on renewable energy resources, cogeneration, and improvement in energy efficiency as approved by the Commission as part of a utility's least-cost plan.

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COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION
BY CNB BANCSHARES, INC., EVANSVILLE,
INDIANA, TO ACQUIRE SOUTH CENTRAL ILLINOIS
BANCORP, INC., EFFINGHAM, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957 (Ill. Rev. Stat. 1991, ch. 17, par. 2510.01(d)), notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by CNB Bancshares, Inc., 20 N.W. Third Street, Evansville, Indiana 47739, to acquire South Central Illinois Bancorp, Inc., 200 North Third Street, Effingham, Illinois 62401.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to either:

Neal J. O'Brien
Bruce J. Baker
Commissioner of Banks and Trust Companies
Room 100 Reisch Building
117 South Fifth Street
Springfield, Illinois 62701.

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COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION
BY FIRST OF AMERICA BANK CORPORATION,
KALAMAZOO, MICHIGAN, TO ACQUIRE KEWANEE
INVESTING COMPANY, INC., KEWANEE, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957 (Ill. Rev. Stat. 1991, ch. 17, par. 2510.01(d)), notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by First of America Bank Corporation, 211 South Rose Street, Kalamazoo, Michigan 49007, to acquire Kewanee Investing Company, Inc., 635 South Tenney Street, Kewanee, Illinois 61443.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to either:

Neal J. O'Brien
Bruce J. Baker
Commissioner of Banks and Trust Companies
Room 100 Reisch Building
117 South Fifth Street
Springfield, Illinois 62701.

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION
BY MERCANTILE BANCORPORATION, INC.,
ST. LOUIS, MISSOURI, TO ACQUIRE FIRST
NATIONAL BANK OF FLORA, FLORA, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957 (Ill. Rev. Stat. 1991, ch. 17, par. 2510.01(d)), notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by Mercantile Bancorporation, Inc., One Mercantile Center, St. Louis, Missouri 63101, to acquire First National Bank of Flora, 101 East North Avenue, Flora, Illinois 62839-0010.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to either:

Neal J. O'Brien
Bruce J. Baker
Commissioner of Banks and Trust Companies
Room 100 Reisch Building
117 South Fifth Street
Springfield, Illinois 62701.

STATE BOARD OF EDUCATION

NOTICE OF PUBLIC INFORMATION

Pending Approval by
Office of Special Education Programs

STATE PLAN

FOR

FISCAL YEARS 1993-95

Under Part B of the Individuals with Disabilities Education Act

Illinois State Board of Education
Department of Special Education

April 1, 1992

Louis Mervis, Chairman
State Board of Education

Robert Leininger
State Superintendent of Education

STATE BOARD OF EDUCATION
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STATE BOARD OF EDUCATION

NOTICE OF PUBLIC INFORMATION

X. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT

GENERAL

The Comprehensive System of Personnel Development (CSPD) in Illinois includes a multifaceted plan to meet both the inservice development needs of parents, service providers and the educational community and the preservice training needs of all personnel preparing for a career in special education. The Illinois State Board of Education has assumed its personnel development leadership role by providing direction, support and technical assistance to local educational agencies (LEAs), special education joint agreements (JAs), regional programs, higher education institutions (IHE) and other agencies providing services to children and youth with disabilities. Parents, special and regular education teachers, administrators, and related services personnel, as well as public and private providers participate in the development and ongoing implementation of the CSPD.

The Comprehensive System of Personnel Development Committee (CSPDC)

In order to obtain comprehensive input on statewide training needs the Department of Special Education has established the Comprehensive System of Personnel Development Committee (CSPDC). The CSPDC is composed of parents, special education/regular teachers, administrators, related services personnel, and preservice providers.

There are four regularly scheduled CSPDC meetings annually, and others are held as needed. Two of these meetings are combined meetings with the Higher Education Advisory Council (HEAC). In 1988, CSPDC adopted the following Mission Statement:

The mission of the Comprehensive System of Personnel Development Committee is to recommend those best practices in the area of human resource development that insure quality inservice and preservice training for personnel dealing with children and youth with disabilities.

In August 1992, the Illinois State Board of Education sent a team to the National Institute on Comprehensive System of Personnel Development Collaboration, sponsored by the Council for Exceptional Children and held in Auburn, Alabama. The CSPDC was represented by the state CSPDC chairperson and a CSPDC member. Other representatives were from HEAC, the Part H advisory committee and the State Board of Education. As a result of that institute, the Illinois team developed the Strategic Plan for CSPD in Illinois. This plan encompasses both preservice

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and inservice, resulting in a broad view of personnel development from the time an individual enters teacher preparation as a college freshman to the time he or she retires from the profession. The plan will be revised annually and will carry Illinois into the 21st Century. The mission of the CSPDC has been expanded to incorporate the Strategic Plan.

The Higher Education Advisory Council (HEAC)

The Higher Education Advisory Committee (HEAC), which is composed of chairpersons from the departments of special education in all public and private colleges/universities, provides input to the Department of Special Education regarding the coordination of preservice and inservice training. Currently, 22 Illinois institutions of higher education which offer course sequences leading to approval and certification in special education are represented on the HEAC. This committee develops recommendations pertaining to special education teacher preparation training programs and programmatic preservice requirements, coordinates research efforts and activities in response to state needs, and makes suggestions regarding the competencies needed by educational personnel involved in the education of students with disabilities.

During the 1993-95 time period, HEAC will be working on goals specified in the Strategic Plan. The CSPDC committee and HEAC met in September 1992 to review the Strategic Plan and target their individual goals for the year. In May 1993 the two groups will meet again to report on the accomplished goals of each and to target additional goals for 1993-94 and beyond. An unusual component of these meetings is that HEAC representatives are asked to bring a colleague from their college or university who is not in the Special Education Department (i.e., someone from the Curriculum, Elementary or Secondary Department). This kind of working relationship has encouraged the leadership to promote a collaborative community that includes the child and family, celebrates diversity, develops life-long learners, and encourages productive citizens in a global society.

The State Advisory Council on the Education of Handicapped Children (SAC)

The State Advisory Council on the Education of Handicapped Children (SAC), mandated in Section 14-3.01 of the School Code, serves as an advisory group to the CSPDC, the Illinois State Board of Education and others providing services to students with disabilities. The Council provides advice through several different mechanisms including reviewing the State Plan and amendments, commenting on any proposed changes or additions to the state's utilization of its federal discretionary funds and making recommendations for personnel and program development activities as a result of special studies, e.g., a review of service needs for students with traumatic brain injury during 1991-92.

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Special Education Leadership Academy

The Special Education Leadership Academy (SELA) provides professional development programs and activities to special education administrators, supervisors and other leaders. A committee composed of special education administrators, elected regionally by their peers, completes a needs assessment each year and approves regionally developed training programs for special education administrators designed to meet the training needs in each region. The SELA Steering Committee meets monthly to assure the implementation, continuity and coordination of these training programs.

An Ad Hoc Committee was established in September 1988 to develop policy related to the personnel components of Part H. A second Personnel Ad Hoc Committee began a year later the work of developing a statewide personnel system. Two broad approaches were selected for addressing this task, both utilizing extensive participation by interested individuals:

- to gather information related to current personnel needs and training capabilities in Illinois and
- to develop recommendations that would define staffing patterns and personnel qualifications for early intervention services.

Three statewide surveys were implemented to gather baseline information related to personnel issues. In addition, a Personnel Standards and Practices Task Force met over the course of several months to develop specific recommendations. A comprehensive set of goals and objectives form the framework for personnel development for Part H. These are designed to ensure that services to eligible children and their families are delivered by teams of personnel qualified to support and address their unique characteristics and needs. The system builds on the expertise of experienced personnel currently employed in early intervention settings, as well as the current personnel training efforts at the preservice and inservice levels, e.g., Illinois Technical Assistance Project (ITAP). It also provides for recruitment of new personnel into early intervention services. It can be seen that these recommendations form the basis of the CSPD for Part H and include goals and objectives related to personnel standards, recruitment, and retention, and activities designed to assist current and future personnel in meeting standards for early intervention services.

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The linkages with and coordination of the CSPDC, SAC, and HEAC; Part D Grants; LEA personnel development activities and Part H activities are through the CSPDC structure. Cooperative planning with these groups helps to insure the development and implementation of a comprehensive system of personnel development for all personnel dealing with children and youth with disabilities.

The CSPD is used to ensure the efficient and effective preparation, recruitment and retention of special education personnel who meet the highest standard of professional requirements in Illinois. The "highest standard" requirement is met in two ways. First, all special education personnel in Illinois generate state categorical funding under Section 14-13.01 of the School Code. A school district must be in compliance with all personnel regulations, certification requirements and fiscal procedures in order to receive this funding. Second, the certification status of all school personnel is verified by the Illinois State Board of Education's ongoing program of school recognition. All of the certificates or approvals issued by the Illinois State Board of Education are the highest requirement for individuals providing special education or related services to students aged three through twenty-one, i.e., there are no other licenses, registrations or approvals that qualify an individual to work for the schools other than the certificates and approvals issued by the Illinois State Board of Education.

ADEQUATE SUPPLY OF QUALIFIED PERSONNEL

The Illinois CSPD is responsible for ensuring an adequate number of trained special education and related services personnel, including leadership personnel. The major method for accomplishing this is through implementation of the Strategic Plan. The Plan is designed to coordinate and facilitate efforts among state and local education agencies, institutions of higher education, and professional associations to recruit, prepare, and retain qualified personnel, including personnel from minority backgrounds and personnel with disabilities. As stated earlier, the Plan was developed with input from special and regular educators, administrators, university personnel and parents and includes the following components:

1. Marketing and Recruitment,
2. Training and Certification,
3. Professional Support and Enhancement.

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These components are described below.

Marketing and Recruitment

A work group of the CSPDC each year analyzes data including the annual report *Illinois Teacher Supply and Demand* and determines the amount and type of special education staff needed. Specific activities are then developed by that work group combined with a work group from HEAC and other interested individuals to meet those identified needs. SEA staff, as well as staff from universities; school districts; and other organizations, businesses, and agencies, are utilized to implement marketing and recruitment activities, depending upon the identified needs.

Training and Certification

A training and certification work group each year examines state certification requirements and procedures to determine if they are adequately addressing the needs within the state. If changes need to be made in either requirements or procedures, those recommendations are made to Department of Special Education staff, who in turn work with staff from the Department of Certification to develop new certificates or endorsements on existing certificates. The work group, composed of special and regular education teachers, administrators, and staff from institutions of higher education, also examines data regarding training programs within the state to determine if they are producing enough qualified special education personnel. If necessary, additional training programs are developed and implemented to meet specific needs (e.g., minority teachers, speech/language, occupational therapy). This will include training programs for new teachers as well as retraining programs to assist existing teachers, regular education and special education, in obtaining certification in other areas of special education.

PERSONNEL PREPARATION AND CONTINUING EDUCATION

The overall system for providing continuing education to regular and special education and related services personnel is coordinated through the CSPDC and is based upon the Strategic Plan and statewide data collection process. The Professional Development and Enhancement work group of the CSPDC is developing a training plan which will:

1. Identify areas in which training is needed,
2. Specify groups of personnel requiring training,

3. Describe the nature and content of all training activities,
4. Describe how the training will be provided in terms of format and geography.

Professional Development and Enhancement

Since 1989, the Illinois State Board of Education has been promoting the Regular Education Initiative (REI) to develop and enhance the coordination, collaboration and skill building of special and regular education teachers and administrators. Activities have included holding annual initiative conferences; identifying innovative programs where teachers are collaborating and improve educational services to meet the needs of all learners in the classroom; and establishing an organized, structured system of personnel development. That system (the REI Training) was piloted in four Educational Services Centers (ESCs) in 1991-92 at the Level I stage. In 1992-93 the system expanded to sixteen ESCs at the Level I stage, and three of the ESCs further expanded to the Level II stage.

Evaluation data have shown that this system of personnel development is extremely successful because it (1) requires attendance by building teams (i.e., representatives of special and regular education teachers and administrators and ancillary personnel); (2) uses practitioners as the presenters; and (3) requires a commitment from participants that they design, development and implement their own model of improvement. The topics for the training are selected by the regional (ESC) committees from a "menu" provided by the State Board of Education. In this system there is continuity of training statewide, but it is also regionally designed and implemented.

Additional and complementary activities to the training described above are:

1. State-of-the-Art Replication
 - a. Pilot Projects
 - b. Discretionary Grants
 - c. Assistive Technology Project
 - d. Adoption of Promising Practices
2. Targeted Training Issues
 - a. Regular Education Initiative (additional projects)
 - b. Least Restrictive Environment

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- c. Transition Services
- d. The Individualized Education Plan
3. State-Sponsored Training
 - a. Roundtables
 - b. Chicago Principals' Training
 - c. Directors' Conference
 - d. Statewide and Regional Initiatives Conference

4. Responding to Federal Initiatives

- a. RFPs
- b. Grant Writing
- c. Special Projects
- d. Letters of Support
- e. Clearinghouse

5. Dissemination of Information

- a. SpecialNet
- b. SpecialLaw
- c. Counterpoint
- d. Data Notes
- e. Memorandums to LEAs
- f. Forum (quarterly newsletter)
- f. The Initiator (widely disseminated newsletter updating all educators on REI activities)

Funds to support the activities of the above plan come from a variety of sources, including:

1. IDEA Part B funds -- Each local education agency is required to set aside 5% of its IDEA Part B funds to implement CSPD activities. In addition, the State Board of Education uses part of its Part B funds to provide statewide, regional, or targeted CSPD activities.
2. IDEA Part D funds.

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3. Federal Preschool funds.
4. Local education agency funds.

During the three years covered by this State Plan, the four work groups will be directed to give special attention to the needs of personnel from minority backgrounds and personnel with disabilities. That is, they will be asked to specifically recommend activities that will support and enhance the recruitment, preparation and retention of individuals from minority backgrounds and individuals with disabilities.

Procedures for Acquiring and Disseminating Knowledge to Teachers (Regular and Special Education), Administrators, and Related Services Personnel

The Illinois State Board of Education uses a number of avenues for information dissemination derived from education research and other sources which include:

1. An annual conference for directors and supervisors of special education;
2. An annual statewide conference on current trends and practices in special education for all school personnel;
3. Regional conferences throughout the state each year on such issues as transition and the Regular Education Initiative;
4. A statewide training program on writing effective IEPs;
5. Presentations at regional and state meetings of various special education, administrator, and related services personnel associations;
6. The Forum newsletter, published quarterly by the State Board of Education, Department of Special Education;
7. The Initiator newsletter, a new publication by the REI Clearinghouse, which will go to every school building in the state, informing educators of current REI training activities statewide, new research and activities occurring in other states.
8. Regular informational bulletins on SpecialNet;

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9. Periodic memorandum to special education administrators, superintendents and colleges/universities.

Information disseminated through these avenues focus on:

1. Experimental and innovative personnel development programs;
2. New federal/state laws, regulations, policies on personnel development;
3. Development and modification of instructional materials; and
4. Significant information derived from educational research and demonstration projects.

Procedures for Adopting Promising Practices, Materials, and Technology

The Comprehensive System of Personnel Development Committee combined with the Higher Education Advisory Council meets twice annually to review promising practices, materials and technology derived from data collection and research results and to make recommendations to the State Board of Education regarding those that should be adopted. The groups meet at least twice separately to work on the identified goals from the Strategic Plan and discuss other issues specifically related to preservice or inservice training. The recommendations will include the most appropriate methods for adopting and disseminating those practices, materials or technology.

Data System on Personnel and Personnel Development

The CSPDC implements various data collection and assessment activities to ensure the state has an adequate supply of qualified special education and related services personnel. This information is also used to address current and projected special education and related services personnel needs. Data and assessment information are collected from:

State certification records,
Teacher service records,
Records and data maintained by colleges and universities,
Surveys of school administrators conducted by State Board of Education staff,
Needs assessments of regular education and special education staff (required as a part of the IDEA flow through annual grant application),

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Needs assessments completed by the Special Education Leadership Academy, Information obtained from the SEA FACTS program (computerized special education child count and trading information management system), Survey information from colleges and universities.

These sources of data yield information on:

1. The number and type of personnel, including leadership personnel, employed in the provision of special education and related services by profession and discipline;
2. The number and type of personnel who are employed with emergency, temporary or provisional certification;
3. The number and type of personnel needed in each profession and discipline and a projection of the number needed in five years;
4. The number of students enrolled in programs in institutions of higher education; and
5. The number of students who have graduated with qualifications for certification or licensure from institutions of higher education within the past year.

These data are collected and analyzed and a report provided to the state CSPD committee, as well as to other groups involved in addressing special education personnel needs in the state. This report State Illinois Teacher Supply and Demand is compiled annually by the Department of Research and Planning.

Of particular interest in Illinois is the relationship of the comprehensive system of personnel development to the unique needs of the bilingual special education programs and personnel. To meet these needs, several activities have been funded by the Illinois State Board of Education. These activities are:

1. parent education in collaboration with community agencies and schools;
2. sign language classes in Spanish utilizing ASL;

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3. publication and distribution of Recommended Practices in the Identification, Assessment and Provision of Special Education for Culturally and Linguistically Diverse Students;
4. training workshops to implement the recommended practices in the manual;
5. the establishment of sites to demonstrate the instructional models cited in the manual for recommended practices; and
6. the establishment of an Ad Hoc committee to study the trends and needs of the bilingual/multicultural school-age population resulting in a new Three-Year Plan.

Considering the significant legislation passed in the last legislative session, the activities and delivery of services to limited-English-proficient students will continue to be prominent. The ongoing agenda for this population focuses on recruitment, training, certification standards, identification and census. The general activities of the CSPD will be used to address these and the other issues specific to the bilingual special education programs, services and personnel.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of January 27, 1993 through February 2, 1993, and have been scheduled for review by the Committee at its February 17, 1993 or March 9, 1993 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield, IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
3/11/93	<u>Illinois Farm Development Authority, Illinois Farm Development Authority (8 Ill Adm Code 1400)</u>	6/5/92 16 Ill Reg 8297	2/17/93
3/18/93	<u>Secretary of State, Issuance of Licenses (92 Ill Adm Code 1030)</u>	7/31/92 16 Ill Reg 12138	3/9/93
3/18/93	<u>Department of Mental Health and Developmental Disabilities, Cert- ification Under Medicaid Rehabilitation Option for Early Intervention Programs (59 Ill Adm Code 122)</u>	10/16/92 16 Ill Reg 15691	3/9/93
3/18/93	<u>Department of Mental Health and Developmental Disabilities, Early Intervention Program (59 Ill Adm Code 121)</u>	10/16/92 16 Ill Reg 15715	3/9/93

PROCLAMATION

93-002
GEORGE PRADEL DAY
(Revised)

Whereas, George Pradel began serving as a police officer for the city of Naperville in 1966. He was promoted to sergeant in 1977 and lieutenant in 1988; and

Whereas, over the years, George has played an exemplary role in law enforcement and community service in the Naperville area; and

Whereas, through his professional, dedicated, and caring manner, George has been dubbed by his peers and fellow citizens as "Officer Friendly," "Father of Police Community Relations," and "The Great Facilitator"; and

Whereas, George was instrumental in the implementation of the "Safety Town" program and has influenced and educated thousands of children through his teaching of basic safety rules; and

Whereas, George is retiring from his position as Naperville police lieutenant in charge of traffic and crime prevention units. He will move to the position of community service officer in charge of downtown traffic enforcement, the same type of job he held when he joined the police force more than 26 years ago; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 20, 1993, as GEORGE PRADEL DAY in Illinois and commend him on the devotion he has shown in ensuring the safety of the Naperville community.

Issued by the Governor January 19, 1993.

Filed with the Secretary of State January 29, 1993.

93-014

ACTIVITY PROFESSIONALS DAY

Whereas, activity professionals have contributed significantly to improving the quality of life for our state's institutionalized and service-dependent senior citizens; and

Whereas, activity professionals work with health care professionals, care providers, and regulatory agencies to enhance the lives of our citizens served by nursing homes, convalescent hospitals, senior centers, retirement homes, and adult day care programs; and

Whereas, activity professionals help provide programs in community involvement, mental stimulation, community service, and help the elderly maintain normal life pursuits through activities designed to meet the needs of individuals;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 22, 1993, as ACTIVITY PROFESSIONALS DAY in Illinois to increase public awareness of the role these important individuals play in improving the quality of life for the senior citizens in our state and our nation.

Issued by the Governor January 19, 1993.
Filed with the Secretary of State January 29, 1993.

93-015

BLACK DATA PROCESSING ASSOCIATES DAY

Whereas, the Black Data Processing Associates (BDPA) is a national not-for-profit organization of information management professionals; and

Whereas, BDPA assists minority students in entering career paths associated with the information technology industry; and

Whereas, BDPA sponsors programs directed at the education of our young people, including a city-wide high school computer competition and 14-week high school summer training camp; and

Whereas, BDPA has 46 chapters across the nation. The Chicago chapter is the largest, with 350 members. For the second consecutive year, the Chicago organization was named Chapter of the Year; and

Whereas, the BDPA will host an awards banquet to recognize the contributions of its members, supporters, and sponsors January 30, 1993, in Chicago;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 30, 1993, as BLACK DATA PROCESSING ASSOCIATES DAY in Illinois.

Issued by the Governor January 19, 1993.

Filed with the Secretary of State January 29, 1993.

93-016

BRAILLE LITERACY WEEK

Whereas, blind and visually impaired people must be given the opportunity to achieve literacy so they can be active, competitive, and successful in education, employment, and life in general; and

Whereas, braille, a reading and writing method that uses characters formed with upraised dots, is an effective medium of literacy used by blind and visually impaired individuals; and

Whereas, reading machines, recording devices, and computer-screen access programs have served as a bridge between the world of printed material and blind and visually impaired individuals. However, those methods do not allow individuals the freedom to read and write independently, as does braille; and

Whereas, President Bush has issued a proclamation designating January 3-9, 1993, as Braille Literacy Week to emphasize the importance of braille as a means of communication;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 3-9, 1993, as BRAILLE LITERACY WEEK in Illinois in conjunction with the national observance.

Issued by the Governor January 19, 1993.

Filed with the Secretary of State January 29, 1993.

**93-017
SALES AND MARKETING MONTH**

Whereas, a fundamental precept of the principles upon which the United States is founded is the free and increasing exchange and distribution of goods and services for the benefit of all people; and

Whereas, the orderly distribution of the output of our factories and enterprises is vital to their continuing efficient operation as instruments of well-being, growth, prosperity, and defense against aggression; and

Whereas, sales and marketing professionals are the purveyors of goods that fulfill society's needs and wants, and they are the imaginative developers of markets and uses for the effective and ever-increasing employment of our citizens and facilities;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 1993 as **SALES AND MARKETING MONTH** in Illinois, urging all members of the business, labor, agricultural, educational, and civic professions to participate in this observance.

Issued by the Governor January 20, 1993.

Filed with the Secretary of State January 29, 1993.

**93-018
MIKE FISHER DAY**

Whereas, Mike Fisher, a senior at Batavia High School, ranks first in his class of 225 students; and

Whereas, he holds a 4.64 grade point average on a 4.0 scale and achieved a score of 30 on the ACT exam; and

Whereas, Mike has twice been recognized as Player of the Year and All-American in soccer; and

Whereas, Mike has been named as the 1993 Gaterade Circle of Champions Soccer Player, in honor of his exemplary athletic and academic achievements. The honor is bestowed upon student-athletes across our nation, who serve as role models for their peers by embodying the spirit of sportsmanship, exhibiting admirable traits such as hard work and dedication, and striving to do their best in the classroom and on the field; and

Whereas, Mike will be presented with the award January 26, 1993, in Chicago;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 26, 1993, as **MIKE FISHER DAY** in Illinois and commend him on his outstanding accomplishments.

Issued by the Governor January 21, 1993.

Filed with the Secretary of State January 29, 1993.

**93-019
BROOKFIELD CENTENNIAL CELEBRATION YEAR**

Whereas, 1993 marks the 100th anniversary of the Village of Brookfield; and

Whereas, throughout the year, the village will be holding a number of activities including a kick-off dinner and dance January 23 at the Moose Lodge, a Memorial Day service, and a 4th of July parade and picnic; and

Whereas, the climax of the year-long celebration will be a 10-day Centennial Celebration August 13-August 22, during which there will be a parade, carnival, civil war encampment, historical pageant, concerts, and special days. State and federal representatives are especially invited to join the celebration on VIP Day, August 13; and

Whereas, the village will wrap up 1993 with a gala Birthday Ball in November;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim 1993 as **BROOKFIELD CENTENNIAL CELEBRATION YEAR** in Illinois and encourage the people of Illinois to participate in the scheduled events and activities.

Issued by the Governor January 22, 1993.

Filed with the Secretary of State January 29, 1993.

**93-020
FINANCIAL AID AWARENESS MONTH**

Whereas, the State of Illinois has a strong commitment to the intellectual growth and career development of all its citizens; and

Whereas, the State of Illinois has fostered the development of an impressive complement of public, private, and proprietary programs of higher education; and

Whereas, a network of student financial assistance programs consisting of grants, scholarships, loans, and jobs provides access to these educational opportunities for thousands of citizens each year; and

Whereas, the Illinois Student Assistance Commission's responsibilities include providing scholarships, grants, and loans and encouraging families to begin saving early for postsecondary education; and

Whereas, the Illinois Student Assistance Commission and the Illinois Association of Student Financial Aid Administrators are conducting a series of informational programs to boost parent and student awareness about available financial aid resources;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 1993 as **FINANCIAL AID AWARENESS MONTH** in Illinois. I encourage those who need financial assistance for higher education to take advantage of the opportunity to become more informed about financial aid programs available to our citizens.

Issued by the Governor January 22, 1993.
Filed with the Secretary of State January 29, 1993.

93-021
GIRLS AND WOMEN IN SPORTS DAY

Whereas, programs and opportunities for women in sports have grown significantly during recent years, but athletic opportunities for male students at high school and collegiate levels are often greater than those for female students; and

Whereas, we should recognize the importance of encouraging sports and fitness for individuals of every age, sex, and color; and

Whereas, early motor-skill training and the enjoyable experience of physical activity strongly influence lifelong habits of physical fitness. Abilities and skills developed through athletic experience play a key role in an athlete's contributions to society; and

Whereas, bonds built between women through athletics help to break down social barriers of racism and prejudice; and

Whereas, the accomplishments of women in sports deserve recognition throughout our state and nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 4, 1993, as **GIRLS AND WOMEN IN SPORTS DAY** in Illinois, to celebrate the value of sports for women.

Issued by the Governor January 22, 1993.
Filed with the Secretary of State January 29, 1993.

93-022
SNOWMOBILE SAFETY WEEK

Whereas, snowmobiling is a family sport enjoyed throughout Illinois; and

Whereas, in addition to their recreational use, snowmobiles are frequently the only means of transportation in heavy snow conditions; and

Whereas, members of the Illinois Association of Snowmobile Clubs have been most generous with their time in helping stranded citizens; and

Whereas, the primary pursuit of these snowmobile clubs in safety education, and members participate in the Illinois Department of Conservation's Snowmobile Safety Program;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 1-7, 1993, as **SNOWMOBILE SAFETY WEEK** in Illinois, and I encourage all snowmobilers to take advantage of the safety instruction available in our state.

Issued by the Governor January 22, 1993.
Filed with the Secretary of State January 29, 1993.

93-023
TRAVEL AGENT APPRECIATION WEEK

Whereas, more than 22,000 travel agents are employed in Illinois; and

Whereas, travel agents have made significant contributions to our state's travel and tourism industry; and

Whereas, these travel agents have offered valuable services and assistance to Illinois travelers; and

Whereas, Delta Air Lines has designated February 1-5, 1993, as Travel Agent Appreciation Week;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 1-5, 1993, as **TRAVEL AGENT APPRECIATION WEEK** in Illinois.

Issued by the Governor January 22, 1993.
Filed with the Secretary of State January 29, 1993.

93-024
WOMEN'S REPRODUCTIVE HEALTH DAY

Whereas, the Preamble of the Constitution of the United States makes a provision for liberty for our citizens; and

Whereas, January 22, 1993, marks the 20th anniversary of Roe v. Wade, the landmark United States Supreme Court decision upholding the right of reproductive choice for women and the principle that government should not intrude in a woman's private decision as to whether to reproduce;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 22, 1993, as **WOMEN'S REPRODUCTIVE HEALTH DAY** in Illinois.

Issued by the Governor January 22, 1993.
Filed with the Secretary of State January 29, 1993.

93-025
**LITTLE CITY FOUNDATION -
WORLD'S LARGEST INDOOR SUPER BOWL PARTY DAY**

Whereas, on Sunday, January 31, the Little City Foundation will hold its 12th annual World's Largest Super Bowl Party at McCormick Place in Chicago; and

Whereas, the party will benefit Little City Foundation, a nationally-recognized, nonsectarian organization serving children and adults with mental retardation and other developmental challenges such as Down's Syndrome, autism, cerebral palsy, epilepsy, visual and hearing impairments, and emotional disturbances; and

Whereas, a number of individuals should be commended on their outstanding efforts to make the event possible, including General Co-Chairs Jim Hogan, president of Teamsters Local 714; Mike Hogan, president of National Show Services, Inc.; Cathy Core,

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director of Chicago Luvabulls; John Leahy, president of Leahy & Associates; Patrick Duff of Liquor and Allied Workers Local #3; and co-chairs Ken Smith, general manager of O'Hare Hilton, and Leroy Ellis, international vice president of the Brotherhood of Teamsters;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 31, 1993, as LITTLE CITY FOUNDATION - WORLD'S LARGEST INDOOR SUPER BOWL PARTY DAY in Illinois.

Issued by the Governor January 26, 1993.

Filed with the Secretary of State January 29, 1993.

93-026

CATHOLIC SCHOOLS WEEK/CATHOLIC SCHOOLS APPRECIATION DAY

Whereas, citizens have the option of selecting private or parochial education; and

Whereas, Catholic schools have existed for many years and have educated millions of students; and

Whereas, a high percentage of Catholic school students go to college; and

Whereas, the National Catholic Education Association is sponsoring a national day of appreciation for Catholic schools February 3, 1993, a yearly observance to celebrate the schools' achievements and promote parental choice in the selection of schools;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 31-February 7, 1993, as CATHOLIC SCHOOLS WEEK and February 3, 1993, as CATHOLIC SCHOOLS APPRECIATION DAY in Illinois.

Issued by the Governor January 27, 1993.

Filed with the Secretary of State January 29, 1993.

93-027

PARK RIDGE COMMUNITY CHURCH SESQUICENTENNIAL DAY

Whereas, Park Ridge Community Church, one of the earliest churches in Illinois, was officially organized as the Monroe Congregational Church February 4, 1843; and

Whereas, the church built its first meeting house in 1848. After the building was sold, services were held at various area locations until a gothic-style sanctuary was constructed in Park Ridge. The current church facility was built and dedicated in 1952; and

Whereas, in 1925, the church added Community House, a structure which served not only as a church school but also as a gymnasium, community center, and social meeting place for church and nonchurch organizations; and

Whereas, throughout the years, Park Ridge Community Church has provided a variety of religious and community services to the people of the area. It has been the site of many weddings and has

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been active in blood drives, outreach programs, and collections for food banks; and

Whereas, Community Church continues to be characterized by a spirit of openness and tolerance. Its multid denominational and noncreedal Christian fellowship plays a unique role in the life of the community; and

Whereas, Park Ridge Community Church will celebrate its Sesquicentennial during worship service February 7;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 7, 1993, as PARK RIDGE COMMUNITY CHURCH SESQUICENTENNIAL DAY in Illinois.

Issued by the Governor January 27, 1993.

Filed with the Secretary of State January 29, 1993.

ACTION CODES

A - Adopted Rule
AR - Adopted Repealer

C - Notice of Corrections
CC - Codification Changes
E - Emergency Rule
ER - Emergency Repealer
M - Modification to meet JCAR objections
O - JCAR Statement of Objections
RQ - Request for Correction
EC - Expedited Corrections

P - Proposed Rule
PF - Prohibited Filing Order by JCAR*

PP - Peremptory or Court Ordered Rules
PR - Proposed Repealer
R - Refusal to meet JCAR Objection
RC - Statement of Recommendation
S - Suspension ordered by JCAR
W - Withdrawal to meet JCAR Objections

*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

Americans With Disabilities Act Grievance Procedure (A-20092/92; CC-1673)

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240
89 Ill. Adm. Code 220
Community Care Program (P-12251/92; A-224)
General Programmatic Requirements (P-883) (E-1179)

AGRICULTURE, DEPARTMENT OF

4 Ill. Adm. Code 550
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cc = codification changes	C = Correction	S = Suspension
n = new Section	P = Proposed Rule	O = ICAR Objection
r = repeal of existing Section	E = Emergency rule	R = Refusal to Modify
re = recodified	PP = Peremptory rule	F = Failure to Remedy
# = renumbered	M = Modification	Objections Objection
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	RQ = Request for Correction	EC = Expedited Correction
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180.22	n	(P-14006/92; A-123)	130.20	r	(P-1)
180.24	n	(P-14006/92; A-123)	130.30	r	(P-1)
180.30	am	(P-14006/92; A-123)	130.40	r	(P-1)
180.92	n	(P-14006/92; A-123)	130.50	r	(P-1)
180.94	n	(P-14006/92; A-123)	130.60	r	(P-1)
180.100	am	(P-14006/92; A-123)	130.70	r	(P-1)
			130.80	r	(P-1)
			130.90	r	(P-1)
			130.100	r	(P-1)
			130.110	r	(P-1)
			370.101	n	(P-11713/92; A-319)
			370.102	n	(P-11713/92; A-319)
			370.103	n	(P-11713/92; A-319)
			370.104	n	(P-11713/92; A-319)
			370.105	n	(P-11713/92; A-319)
			370.106	n	(P-11713/92; A-319)
			370.107	n	(P-11713/92; A-319)
			370.108	n	(P-11713/92; A-319)
			370.109	n	(P-11713/92; A-319)
			370.110	n	(P-11713/92; A-319)
			370.111	n	(P-11713/92; A-319)
			370.112	n	(P-11713/92; A-319)
			370.113	n	(P-11713/92; A-319)
			370.201	n	(P-11713/92; A-319)
			370.202	n	(P-11713/92; A-319)
			370.203	n	(P-11713/92; A-319)
			370.204	n	(P-11713/92; A-319)
			370.205	n	(P-11713/92; A-319)
			370.206	n	(P-11713/92; A-319)
			370.207	n	(P-11713/92; A-319)
			370.208	n	(P-11713/92; A-319)
			370.209	n	(P-11713/92; A-319)
			370.210	n	(P-11713/92; A-319)
			370.211	n	(P-11713/92; A-319)
			370.212	n	(P-11713/92; A-319)
			370.301	n	(P-11713/92; A-319)
			370.302	n	(P-11713/92; A-319)
			370.303	n	(P-11713/92; A-319)
			370.304	n	(P-11713/92; A-319)
			370.305	n	(P-11713/92; A-319)
			370.401	n	(P-11713/92; A-319)
			370.402	n	(P-11713/92; A-319)
			370.501	n	(P-11713/92; A-319)
			370.502	n	(P-11713/92; A-319)
			370.503	n	(P-11713/92; A-319)
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			370.505	n	(P-11713/92; A-319)

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370.601	n	(P-11713/92; A-319)	2520.700	#	(P-10)
370.602	n	(P-11713/92; A-319)	2520.710	am	(P-10)
370.603	n	(P-11713/92; A-319)	2520.720	am	(P-10)
370.604	n	(P-11713/92; A-319)	2520.730	am	(P-10)
370.605	n	(P-11713/92; A-319)	2520.740	#	(P-10)
370.701	n	(P-11713/92; A-319)	2520.750	r	(P-10)
370.702	n	(P-11713/92; A-319)	2520.760	am	(P-10)
370.703	n	(P-11713/92; A-319)	2520.770	am	(P-10)
370.704	n	(P-11713/92; A-319)	2520.780	am	(P-10)
370.705	n	(P-11713/92; A-319)	2520.790	am	(P-10)
370.706	n	(P-11713/92; A-319)	2520.795	am	(P-10)
370.801	n	(P-11713/92; A-319)	2520.797	am	(P-10)
370.802	n	(P-11713/92; A-319)	2520.799	am	(P-10)
370.901	n	(P-11713/92; A-319)	2520.800	am	(P-10)
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370.903	n	(P-11713/92; A-319)	2520.802	am	(P-10)
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			2520.813	am	(P-10)
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			2520.818	am	(P-10)
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337.120	n	n	(P-7999/92; A-1046)
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1200.60	am	(P-15354/92; A-1137)
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67.150	n	n	(P-1767)
67.160	n	n	(P-1767)
67.170	n	n	(P-1767)
67.180	n	n	(P-1767)
67.190	n	n	(P-1767)
67.200	n	n	(P-1767)
67.210	n	n	(P-1767)
67.220	n	n	(P-1767)
67.230	n	n	(P-1767)
67.240	n	n	(P-1767)
67.250	n	n	(P-1767)
67.260	n	n	(P-1767)
67.270	n	n	(P-1767)
67.280	n	n	(P-1767)
67.290	n	n	(P-1767)
67.300	n	n	(P-1767)
67.310	n	n	(P-1767)
67.320	n	n	(P-1767)
67.330	n	n	(P-1767)
67.340	n	n	(P-1767)
67.350	n	n	(P-1767)
67.360	n	n	(P-1767)
67.370	n	n	(P-1767)
67.380	n	n	(P-1767)
67.390	n	n	(P-1767)
67.400	n	n	(P-1767)
67.410	n	n	(P-1767)
67.420	n	n	(P-1767)
67.430	n	n	(P-1767)
67.440	n	n	(P-1767)
67.450	n	n	(P-1767)
67.460	n	n	(P-1767)
67.470	n	n	(P-1767)
67.480	n	n	(P-1767)
67.490	n	n	(P-1767)
67.500	n	n	(P-1767)
67.510	n	n	(P-1767)
67.520	n	n	(P-1767)
67.530	n	n	(P-1767)
67.540	n	n	(P-1767)
67.550	n	n	(P-1767)
67.560	n	n	(P-1767)
67.570	n	n	(P-1767)
67.580	n	n	(P-1767)
67.590	n	n	(P-1767)
67.600	n	n	(P-1767)
67.610	n	n	(P-1767)
67.620	n	n	(P-1767)
67.630	n	n	(P-1767)
67.640	n	n	(P-1767)
67.650	n	n	(P-1767)
67.660	n	n	(P-1767)
67.670	n	n	(P-1767)
67.680	n	n	(P-1767)
67.690	n	n	(P-1767)
67.700	n	n	(P-1767)
67.710	n	n	(P-1767)
67.720	n	n	(P-1767)
67.730	n	n	(P-1767)
67.740	n	n	(P-1767)
67.750	n	n	(P-1767)
67.760	n	n	(P-1767)
67.770	n	n	(P-1767)
67.780	n	n	(P-1767)
67.790	n	n	(P-1767)
67.800	n	n	(P-1767)
67.810	n	n	(P-1767)
67.820	n	n	(P-1767)
67.830	n	n	(P-1767)
67.840	n	n	(P-1767)
67.850	n	n	(P-1767)
67.860	n	n	(P-1767)
67.870	n	n	(P-1767)
67.880	n	n	(P-1767)
67.890	n	n	(P-1767)
67.900	n	n	(P-1767)
67.910	n	n	(P-1767)
67.920	n	n	(P-1767)
67.930	n	n	(P-1767)
67.940	n	n	(P-1767)
67.950	n	n	(P-1767)
67.960	n	n	(P-1767)
67.970	n	n	(P-1767)
67.980	n	n	(P-1767)
67.990	n	n	(P-1767)
68.000	n	n	(P-1767)
68.010	n	n	(P-1767)
68.020	n	n	(P-1767)
68.030	n	n	(P-1767)
68.040	n	n	(P-1767)
68.050	n	n	(P-1767)
68.060	n	n	(P-1767)
68.070	n	n	(P-1767)
68.080	n	n	(P-1767)
68.090	n	n	(P-1767)
68.100	n	n	(P-1767)
68.110	n	n	(P-1767)
68.120	n	n	(P-1767)
68.130	n	n	(P-1767)
68.140	n	n	(P-1767)
68.150	n	n	(P-1767)
68.160	n	n	(P-1767)
68.170	n	n	(P-1767)
68.180	n	n	(P-1767)
68.190	n	n	(P-1767)
68.200	n	n	(P-1767)

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TITLE 92 (CONT'D)

2520.222	n	(P-542)
2520.222	r	(P-566)
2520.223	n	(P-542)
2520.223	r	(P-566)
2520.224	n	(P-542)
2520.224	r	(P-566)
2520.225	n	(P-542)
2520.225	r	(P-566)
2520.226	n	(P-542)
2520.226	r	(P-566)
2520.300	n	(P-542)
2520.300	r	(P-566)
2520.301	n	(P-542)
2520.301	r	(P-566)
2520.302	n	(P-542)
2520.302	r	(P-566)
2520.303	n	(P-542)
2520.303	r	(P-566)
2520.304	n	(P-542)
2520.304	r	(P-566)
2520.305	n	(P-542)
2520.305	r	(P-566)
2520.400	n	(P-542)
2520.400	r	(P-566)
2520.401	n	(P-542)
2520.401	r	(P-566)
2520.402	n	(P-542)
2520.402	r	(P-566)
2520.403	n	(P-542)
2520.403	r	(P-566)
2520.404	n	(P-542)
2520.404	r	(P-566)
2520.405	n	(P-542)
2520.405	r	(P-566)
2520.406	n	(P-542)
2520.406	r	(P-566)
2520.500	n	(P-542)
2520.501	n	(P-542)
2520.502	n	(P-542)
2520.503	n	(P-542)
2520.504	n	(P-542)
2520.600	r	(P-566)
2520.600	n	(P-542)
2520.601	r	(P-566)
2520.602	r	(P-566)
2520.603	r	(P-566)
2520.604	r	(P-566)

